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TITLE 7—AGRICULTURE

Chapter III—Bureau of Entomology and Plant Quarantine, Department of Agriculture

PART 319—FOREIGN QUARANTINE NOTICES

SUBPART—PINK BOLLWORM OF COTTON

SUBPART—FOREIGN COTTON AND COVERS

On March 28, 1951, pursuant to notices published in the FEDERAL REGISTER on February 8, 1951 (16 F. R. 1204 and 1207) a public hearing was held with respect to the proposed revision of various plant quarantines, orders, and regulations concerning the importation into the United States of cotton, cotton products, and cotton wrappings, and the need for restrictions upon the importation of bagging for certain other commodities, under sections 5, 7, and 8 of the Plant Quarantine Act of 1912, as amended. On July 16, 1952, notice of rule making was published in the FEDERAL REGISTER (17 F R. 6434) with respect to the proposed revocation of the order restricting the importation into the United States of cottonseed oil from Mexico (7 CFR 321.202) and the revision and combination into one document of the foreign pink bollworm quarantine and regulations (7 CFR 319.8, 319.8–1 et seq.) and several orders and regulations restricting the importation into the United States of foreign cotton lint, cotton, and cotton wrappings, cottonseed cake, cottonseed meal, and all other cottonseed products except oil (7 CFR 321.101, 321.102 et seq., 321.201, and 321.203 et seq.) After due consideration of all relevant matters presented at the hearing or pursuant to the notice of rule making and under the authority of sections 5, 7, 8, and 9 of said Plant Quarantine Act (7 U. S. C. 159, 160, 161, 162) the following provisions to constitute a new subpart entitled "Foreign Cotton and Covers" in 7 CFR Part 319, are hereby promulgated.

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AUTHORITY: §§ 319.8 to 319.8–26 issued under sec. 9, 37 Stat. 318; 7 U. S. C. 162. Interpret or apply secs. 5, 7, 8, 37 Stat. 316, 317, 318, as amended; 7 U. S. C. 159, 160, 161.

SUBPART—FOREIGN COTTON AND COVERS

QUARANTINE

§ 319.8 *Notice of quarantine.* (a) Pursuant to sections 5 and 7 of the Plant

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CODIFICATION GUIDE

A numerical list of the parts of the Code of Federal Regulations affected by documents published in this issue. Proposed rules, as opposed to final actions, are identified as such.

Quarantine Act of 1912, as amended (7 U. S. C. 159, 160) and having given the public hearing required thereunder, the Secretary of Agriculture hereby determines that the unrestricted importation into the United States from all foreign countries and localities of (1) any parts or products of plants of the genus Gossypium, including seed cotton; cottonseed; cotton lint, linters, and other forms of cotton fiber (not including yarn, thread, and cloth) cottonseed hulls, cake, meal, and other cottonseed products, except oil; cotton waste, including thread waste; and any other unmanufactured parts of cotton plants; and (2) second-hand burlap and other fabrics, shredded or otherwise, which have been used, or are of the kinds ordinarily used, for containing cotton, grains, field seeds, agricultural roots, rhizomes, tubers, or other underground crops, may result in the entry into the United States of the pink bollworm (Pectinophora gossypialla (Saund.)) the golden nematode of potatoes (Heterodera rostochiensis Wr.), the flag smut disease (Urocystis tritici Koern.) and other injurious plant diseases and insect pests, and said Secretary hereby further determines, that, in order to prevent the introduction into the United States of said plant diseases and insect pests which are new to or not heretofore widely prevalent or distributed within and throughout the United States, it is necessary to forbid the importation into the United States of the plants and products, including fabrics, specified above except as permitted in the regulations supplemental hereto. Hereafter the plants and products specified above shall not be imported or offered for entry into the United States from any foreign country or locality except as permitted by said regulations, and the plants and products permitted by the regulations to be imported or offered for entry from countries and localities specified in the regulations shall be subject to the provisions of sections 1, 2, 3, and 4 of said Plant Quarantine Act (7 U. S. C. 151, 156, 157, and 158) *Provided*, That whenever the Chief of the Bureau of Entomology and Plant Quarantine shall find that existing conditions as to the pest risk involved in the importation of any of the permitted plants or products from the countries and localities specified in the regulations make it safe to modify, by making less stringent, the restrictions contained in any of such regulations, he shall set forth and publish such findings in administrative instructions, specifying the manner in which the regulations shall be made less stringent, whereupon such modification shall become effective.

(b) As used in this section the term "United States" shall have the meaning ascribed to it in the regulations supplemental hereto.

REGULATIONS; GENERAL

§ 319.8–1 *Definitions.* For the purposes of the regulations in this subpart, the following words shall be construed, respectively, to mean:

(a) *Cotton.* Parts and products of plants of the genus Gossypium, including seed cotton; cottonseed; cotton lint, linters and other forms of cotton fiber, not including yarn, thread and cloth; cottonseed hulls, cake, meal, and other cottonseed products, except oil; cotton waste; and all other unmanufactured parts of cotton plants.

(b) *Seed cotton.* Cotton as it comes from the field.

(c) *Cottonseed.* Cottonseed from which the lint has been removed.

(d) *Lint.* All forms of raw ginned cotton, either baled or unbaled, except linters and waste.

(e) *Linters.* All forms of cotton fiber separated from cottonseed after the lint has been removed, excluding so-called "hull fiber" which shall be considered in the same category as waste.

(f) *Waste.* All forms of cotton waste derived from the manufacture of cotton lint, in any form or under any trade designation, including gin waste and thread waste; and waste products derived from the milling of cottonseed.

(g) *Clean waste.* Waste that has been processed in such a manner as to remove all uncrushed cottonseed or to have destroyed all insect life.

(h) *Covers.* Second-hand burlap and other fabric, shredded or otherwise, including any whole bag, bag that has been slit open, and any part of a bag, which has been used, or is of the kind ordinarily used, for containing cotton, grains, field seeds, agricultural roots, rhizomes, tubers, or other underground crops. Burlap and other fabric, when new or unused are excluded from this definition.

(i) *Uncompressed cotton.* Cotton which has been baled or packaged to a density not exceeding approximately 20 pounds per cubic foot.

(j) *Compressed cotton.* Cotton which has been compressed or pressed and baled or packaged to a density greater than approximately 20 pounds and less than approximately 28 pounds per cubic foot.

(k) *High density cotton.* Cotton which has been compressed or pressed and baled or packaged to a density of approximately 28 or more pounds per cubic foot.

(l) *Contamination, contaminated.* Containing an admixture of whole cottonseed or seed cotton, or containing material which may carry the golden nematode of potatoes or the flag smut disease.

(m) *Samples.* Samples of lint, linters, waste, cottonseed cake, and cottonseed meal, of the amount and character usually required for trade purposes.

(n) *United States.* Any of the States, the District of Columbia, Alaska, Hawaii, Puerto Rico, or the Virgin Islands of the United States.

(o) *North, northern.* When used to designate ports of arrival, these terms mean the port of Norfolk, Virginia, and all Atlantic Coast ports north thereof, ports along the Canadian border, and Pacific Coast ports in the States of Washington and Oregon. When used in a geographic sense to designate areas or locations, these terms mean the area comprised of States in which cotton is not grown commercially: *Provided*, That when cotton is grown commercially in certain portions of a State, as is the case in Illinois, Kansas, and Missouri, these terms include only those portions of such State as may be administratively designated by the Chief of Bureau as remote from the main area of cotton production.

(p) *Contiguous areas of Mexico.* The cotton producing areas of Mexico contiguous to cotton-producing areas in that part of the United States designated as regulated areas in Federal pink bollworm regulations (§ 301.52–2 of this chapter)

(q) *West Coast of Mexico.* The State of Sinaloa and the State of Sonora in Mexico, except that part of the Imperial Valley lying between San Luis Mesa and the Colorado River.

(r) *Imperial Valley of Mexico.* The Imperial Valley in the State of Baja California, Mexico, and that portion of the Valley in the State of Sonora, Mexico, lying between San Luis Mesa and the Colorado River.

(s) *Treatment.* Procedures administratively approved by the Chief of Bureau for destroying infestations or infections of insect pests or plant diseases, such as fumigation, application

of chemicals or dry or moist heat, and processing, utilization, and storage.

(t) *Permit.* A form of authorization to allow the importation of cotton or covers in accordance with the regulations in this subpart.

(u) *Approved.* Approved by the Chief of Bureau.

(v) *Authorized.* Authorized by the Chief of Bureau.

(w) *Chief of Bureau.* The Chief of the Bureau of Entomology and Plant Quarantine, or any officer or employee of the Bureau to whom authority has heretofore been delegated or may hereafter be delegated to act in his stead.

(x) *Bureau.* The Bureau of Entomology and Plant Quarantine of the United States Department of Agriculture.

(y) *Inspector* Any person authorized by the Secretary of Agriculture to enforce the provisions of the Plant Quarantine Act.

(z) *Person.* Any individual, firm corporation, company, society, association, or any organized group of any of the foregoing.

CONDITIONS OF IMPORTATION AND ENTRY OF COTTON AND COVERS

§ 319.8–2 *Permit procedure.* (a) Except as otherwise provided for in §§ 319.8–8 (e) and 319.8–16, permits shall be obtained for importations into the United States of all cotton and covers. Permits will be issued only for cotton and covers authorized entry under §§ 319.8–6 through 318.8–19. Importation of other cotton and covers is prohibited. Persons desiring to import cotton or covers under §§ 319.8–6 through 319.8–19 shall, in advance of departure of such material from a foreign port, submit to the Bureau an application[1] stating the name and address of the importer, the country from which such material is to be imported, and the kind of cotton or covers it is desired to import. Applications to import cottonseed shall state the approximate quantity and the proposed United States port of entry. Applications to import lint, linters, or waste shall state whether such materials are compressed.

(b) Applications to import lint, linters, or waste at a port other than one in the North or on the Mexican Border shall also specify whether the commodity is compressed to high density.

(c) Applications to import cotton or covers from contiguous areas of Mexico, the West Coast of Mexico, or the Imperial Valley of Mexico, shall also state the place of origin.

(d) Applications for permits may be made orally or on forms provided for the purpose by the Bureau, or may be made by a letter or telegram containing all the information required by this section.

(e) Upon receipt and approval of such application by the Bureau, an individual or continuing permit will be issued authorizing the importation and specifying the port of entry and the conditions of entry. A copy of the permit will be supplied to the importer.

(f) Upon receipt of an application to import unfumigated lint, linters, waste, or covers, for utilization under agreement as defined in § 319.8–6 (a) (2) an investigation will be made by an inspector to determine that the receiving mill or plant is satisfactorily located geographically, is equipped with all necessary safeguards, and is apparently in a position to fulfill all precautionary conditions to which it may agree. Upon determination by the inspector that these qualifications are fulfilled, the owner or operator of the mill or plant may sign an agreement specifying that the required precautionary conditions will be maintained. Such signed agreement will be a necessary requisite to the release at the port of entry of any imported lint, linters, waste, or covers for forwarding to and utilization at such mill or plant in lieu of vacuum fumigation or other treatment otherwise required by this subpart. Permits for the importation of such materials will be issued in accordance with paragraph (a) of this section.

(g) Permits for importation of any cotton or covers are conditioned upon compliance with all requirements set forth therein and such additional requirements in this subpart as are in terms applicable thereto. Failure to comply with any such requirement will be deemed to invalidate the permit. Permits may also be cancelled or may be refused as provided in § 319.8–3, or entry denied as provided in §§ 319.8–9, 319.8–10, and 319.8–11.

(h) If through no fault of the importer a shipment of cotton or covers arrives at a United States port in advance of the issuance of a permit, it may be held, under suitable safeguards prescribed by the inspector at the port, in Customs custody at the risk of the importer, pending issuance of a permit, for a period not exceeding 20 days.

§ 319.8–3 *Refusal and cancellation of permits.* (a) Permits for the importation of lint, linters, and waste from contiguous areas of Mexico as authorized in § 319.8–9 may be refused and existing permits cancelled by the Chief of Bureau or the inspector (1) if, in the opinion of the Chief of Bureau, effective quarantine measures are not maintained by the duly authorized officials of Mexico to prohibit the movement into such contiguous areas of cotton and covers grown or handled in other parts of Mexico infested by the pink bollworm or in countries other than the United States, or (2) if the lint, linters, and waste have not been produced in the contiguous area and handled under sanitary conditions paralleling those required by § 301.52–1 et seq. of this chapter, for like products originating in comparable parts of the United States designated as regulated areas in § 301.52–2 of this chapter or amendments thereof.

(b) Permits for the importation of lint and linters from the West Coast of Mexico as authorized in § 319.8–10 may be refused and existing permits cancelled by the Chief of Bureau or the inspector (1) if, in the opinion of the Chief of Bureau, effective quarantine measures are not maintained by the duly authorized officials of Mexico to prohibit the movement into the West Coast of Mexico of cotton and covers grown or handled in other parts of Mexico infested with the pink bollworm or from countries other than the United States, or (2) if it has been determined by the Bureau that the pink bollworm exists in the area comprising the West Coast of Mexico.

(c) Permits for the importation of cotton and covers from the Imperial Valley of Mexico as authorized in § 319.8–11 may be refused and existing permits cancelled by the Chief of Bureau or the inspector (1) if, in the opinion of the Chief of Bureau, effective quarantine measures are not maintained by the duly authorized officials of Mexico to prohibit the movement into the State of Baja California, Mexico, of cotton and covers grown or handled in other parts of Mexico or in countries other than the United States, (2) if it has been determined by the Bureau that the pink bollworm exists in the Imperial Valley of Mexico, or (3) if cottonseed is moved to the Territory of Baja California from areas of Mexico infested with the pink bollworm or from countries other than the United States, or other pest hazards are discovered or allowed to develop therein which in the opinion of the Chief of Bureau would increase the risk of pest introduction into the United States by importations under § 319.8–11.

§ 319.8–4 *Notice of arrival.* Immediately upon arrival of any shipment of cotton or covers at a port of entry the importer shall submit in duplicate, through the United States Collector of Customs and for the United States Department of Agriculture, a notice of such arrival, on a form provided for that purpose (Form EQ–368) and shall give such information as is called for by that form.

§ 319.8–5 *Marking of containers.* Every bale or other container of lint, linters, waste, or covers imported or offered for entry shall be plainly marked with a bale number or other mark to distinguish it from other bales or containers. Bales of lint and linters from Mexico shall, in addition, be tagged or otherwise marked to show the gin or mill of origin.

ADDITIONAL CONDITIONS OF ENTRY OF COTTON AND COVERS FROM COUNTRIES OTHER THAN MEXICO

§ 319.8–6 *Lint, linters, and waste—*(a) *Compressed to high density.* (1) (i) Entry of lint, linters, and waste, other than clean waste, compressed to high density, from countries other than Mexico, will be authorized, subject to vacuum fumigation, at any port where approved vacuum fumigation facilities are available, or may hereafter be made available, and where there are inspectors at the port to supervise such fumigation.

(ii) Importations of such lint, linters, and waste, other than clean waste, arriving at a northern port where there are no vacuum fumigation facilities may be entered only for transportation in bond to another northern port where such facilities are available for fumigation.

[1] Applications for permits should be made to Import and Permit Section, Bureau of Entomology and Plant Quarantine, 209 River Street, Hoboken, N. J.

(iii) Importations of such lint, linters, and waste, other than clean waste, arriving at a port in the State of California where there are no approved fumigation facilities may be entered only (*a*) for immediate transportation by all-water route to a port where approved vacuum fumigation facilities are available, there to receive the required fumigation before release, or (*b*) for immediate transportation by all-water route to a northern port for entry without vacuum fumigation but for utilization as provided for in subparagraph (2) of this paragraph.

(2) Entry of lint, linters, and waste, compressed to high density, from countries other than Mexico, will be authorized without vacuum fumigation at any northern port, subject to movement to an approved mill or plant, the owner or operator of which has executed an agreement with the Bureau to the effect that, in consideration of the waiving of vacuum fumigation as a condition of entry and the substitution of approved utilization therefor:

(i) The lint, linters, and waste so entered will be consumed at the mill or plant in a manufacturing process and until so used will be retained at the mill or plant, unless written authority is granted by the Bureau to move the material to another mill or plant;

(ii) Sanitary measures satisfactory to the Bureau will be taken with respect to the collection and disposal of any waste, residues, and covers, including the collection and disposal of refuse from railroad cars, trucks, or other carriers used in transporting the material to the mill or plant;

(iii) Inspectors of the Bureau will have access to the mill or plant at any reasonable time to observe the methods of handling the material, the disposal of refuse, residues, waste, and covers, and otherwise to check compliance with the terms of the agreement;

(iv) Such reports of the receipt and utilization of the material, and disposal of waste therefrom as may be required by the inspector will be submitted to him promptly;

(v) Such other requirements as may be necessary in the opinion of the Chief of Bureau to assure retention of the material, including all wastes and residues, at the mill or plant and its processing, utilization or disposal in a manner that will eliminate all pest risk, will be complied with.

(3) Failure to comply with any of the conditions of an agreement specified in subparagraph (2) of this paragraph may be cause for immediate cancellation of the agreement by the inspector and refusal to release, without vaccum fumigation, lint, linters, and waste for transportation to the mill or plant.

(4) Agreements specified in subparagraph (2) of this paragraph may be executed only with owners or operators of mills or plants located in States in which cotton is not grown commercially and at locations in such other States as may be administratively designated by the Chief of Bureau after due consideration of possible pest risk involved and the proximity of growing cotton.

(b) *Uncompressed or compressed.* (1) (i) Entry of lint, linters, and waste, uncompressed or compressed below high density, from countries other than Mexico, will be authorized, subject to vacuum fumigation, through any northern port, through any port in the State of California, and through any port on the Mexican Border, where approved vacuum fumigation facilities are available, or may hereafter be made available and where there are inspectors at the port to supervise such fumigation.

(ii) Importations of such lint, linters, and waste arriving at a northern port where there are no approved vacuum fumigation facilities may be entered only for immediate transportation to another northern port where such facilities are available, for fumigation.

(iii) Importations of such lint, linters, and waste other than clean waste, arriving at a port in the State of California where there are no approved vacuum fumigation facilities may be entered only (*a*) for immediate transportation by all-water route to any port in California or any northern port where approved vacuum fumigation facilities are available, there to receive the required vacuum fumigation before release, or (*b*) for immediate transportation by all-water route to a northern port for entry without vacuum fumigation but for utilization as provided for in paragraph (a) (2) of this section.

(2) Entry without vacuum fumigation will be authorized for compressed lint, linters, and waste from all countries other than Mexico, and for uncompressed waste derived from cotton milled in non-cotton-producing countries, arriving at a northern port, subject to movement to an approved mill or plant, the owner or operator of which has executed an agreement with the Bureau as provided for in paragraph (a) (2) of this section.

§ 319.8–7 *Cottonseed cake and cottonseed meal.* Entry of cottonseed cake and cottonseed meal from countries other than Mexico will be authorized through any port at which the services of an inspector are available, subject to examination by an inspector for freedom from contamination. If found to be free of such contamination, importations of such cottonseed cake and cottonseed meal may be released from further plant quarantine entry restrictions. If found to be contaminated such importations will be refused entry or subjected as a condition of entry to such safeguards as the inspector may prescribe, according to a method selected by him from administratively authorized procedures know to be effective under the conditions under which the safeguards are applied.

§ 319.8–8 *Covers.* (a) Entry of covers which have been used with foreign cotton will be authorized, subject to vacuum fumigation, through such northern ports, ports in the State of California, or Mexican Border ports as may be named in the permits, or may be authorized, without vacuum fumigation, at such northern or California ports, subject to movement of the covers to an approved mill or plant, the owner or operator of which has executed an appropriate agreement with the Bureau similar to that described in § 319.8–6 (a) (2) *Provided however* That any covers which have been previously used with root crops and the importation of which the inspector finds involves the risk of introducing plant pests associated with such crops may be entered only in accordance with paragraph (b) of this section.

(b) Bags, slit bags, parts of bags, and other covers, of the type used for root crops or which have been used for root crops, coming from all European countries, or from non-European countries in which the golden nematode is known to occur,[2] and bags, slit bags, parts of bags, and other covers, coming from other countries if found to be contaminated with the golden nematode, may be entered subject to immediate treatment at the port of arrival in such manner and according to such method as the inspector may select from administratively authorized procedures known to be effective under the conditions under which the treatment is applied; and, in addition to any safeguard measures to be prescribed by the inspector pursuant to § 319.8–23, the inspector may also prescribe the manner of discharge from the carrier and conveyance to the place of treatment. In the event bags, slit bags, or parts of bags, or other covers are classified by the inspector as falling under the requirements of paragraph (c) of this section, as well as this paragraph, the requirements of this paragraph shall be met as a condition of entry and, if deemed necessary by the inspector, the requirements under paragraph (c) of this section shall also be met as a further condition of entry.

(c) Bags, slit bags, parts of bags, and other covers that have been used as containers of wheat or wheat products that have not been so processed as to have destroyed all flag smut disease spores, or that have been used as containers of field seeds separated from wheat during the process of screening, coming from a country where the flag smut disease is known to occur,[3] may be entered subject to immediate treatment at the port of arrival if intended for reuse here as grain containers, or if not so intended may enter subject to movement to an approved mill or plant, the owner or operator of which has executed an appropriate agreement with the Bureau similar to that described in § 319.8–6 (a) (2).

(d) Covers of the kinds ordinarily used for wrapping or containing cotton, grain, or root crops but which have not been so used, and American cotton bagging, commonly known as coarse gunny, which has been used to cover cotton grown in the United States only, may enter at any port under permit and upon compliance with §§ 319.8–4 and 319.8–5, without vacuum fumigation or other treatment.

(e) Bags, slit bags, parts of bags, and other covers that have been used for grains exported from the United States

[2] Non-European countries in which the golden nematode is known to occur are the Canary Islands and Peru.

[3] Regulations applicable to the entry of other products from countries infected with the flag smut disease are found in §§ 319.59, 319.59–1 et seq.

and returned thereto empty without use abroad, may be entered without permit other than the authorization provided in this paragraph upon presentation to an inspector of satisfactory evidence of their origin and subsequent handling.

(f) Covers used solely to cover cotton, requiring vacuum fumigation as a condition of entry, which arrive at a port other than a northern port, at which port approved vacuum fumigation facilities are not available, may be entered only for immediate transportation by all-water route to a northern port, or to a California port where such facilities are available, for vacuum fumigation or forwarding to an approved mill for utilization, provided that such forwarding may not be made overland from a northern port to a California mill.

(g) The finding, in a bale, of bags, slit bags, or parts of bags, or other covers subject to any provisions of this section will subject the entire bale to the most stringent requirements of this section applicable to such covers. The finding, in a shipment, of one bale that contains material subject to any provision of this section will subject all bales in the shipment to the most stringent requirements of this section applicable to such material found in the one bale. However, in the case of bales of American cotton bagging or coarse gunny which has been used to cover cotton grown in the United States only, if there appear attached to such material patches of the finer burlaps or other fabrics which, in the opinion of the inspector, are strictly in the nature of patches and represent such an inconsiderable proportion as not to affect the character of the bale as a whole, the presence of such patches may be disregarded. This provision does not apply, however, to bales of a mixed character which contain both American cotton bagging or coarse gunny which has been used to cover cotton grown in the United States only, and the finer fabrics, whether these latter have or have not been used as cotton wrappings.

(h) Entry of bags, slit bags, parts of bags, and other covers from any country will be authorized without treatment but upon compliance with other applicable requirements of this subpart if the inspector finds that they have obviously not been used in a manner that would contaminate them, and when in the inspector's opinion, there is no pest risk associated with their entry.

ADDITIONAL CONDITIONS OF ENTRY OF COTTON AND COVERS FROM MEXICO

§ 319.8–9 *From contiguous areas of Mexico*—(a) *Lint, linters, and waste.* (1) Contingent upon the continued maintenance by the duly authorized Mexican officials of effective quarantine measures to prohibit the movement into contiguous areas of Mexico of cotton and covers grown or handled in other parts of Mexico infested with the pink bollworm or in countries other than the United States, the entry of lint, linters, and waste that have been certified by an inspector as having been produced in the contiguous areas of Mexico and as having been handled under sanitary conditions paralleling those required by § 301.52–1 et seq. of this chapter for like products originating in comparable parts of the United States designated as pink bollworm regulated areas in § 301.52–2 of this chapter or amendments thereof, will be authorized through ports on the Mexican Border named in the permits for movement into such regulated areas of the United States. Gin and oil mill wastes from the contiguous areas of Mexico may be similarly authorized entry subject to treatment under supervision of an inspector according to procedures administratively approved under § 301.52 et seq. of this chapter as a prerequisite for movement out of an area regulated on account of pink bollworm. Upon arrival at such ports, the lint, linters, and waste will be released from further plant quarantine entry restrictions, and will immediately become subject to the requirements of § 301.52–1 et seq. of this chapter, applicable to like products produced in the area into which the importation is made.

(2) If the Chief of Bureau or the inspector finds that effective quarantines are not so maintained by Mexican officials, or if an inspector is unable to certify lint, linters, or waste as specified in subparagraph (1) of this paragraph, entry will be refused under this section and will only be authorized in accordance with the requirements of this subpart applicable to the importation of such material from countries other than Mexico.

(b) *Cottonseed cake and meal.* Entry of cottonseed cake and cottonseed meal from contiguous areas of Mexico may be authorized through any port on the Mexican Border at which the services of an inspector are available, subject to examination by an inspector for freedom from contamination. If found to be free from such contamination, the importation will be released from further plant quarantine entry restrictions. Importations of such cottonseed cake or cottonseed meal, found to be contaminated, will be refused entry or subjected as a condition of entry to such safeguards as the inspector may prescribe, including treatment in accordance with a method selected by him from administratively authorized procedures known to be effective under the conditions under which the safeguards are applied.

(c) *Cottonseed and cottonseed hulls.* (1) Entry of cottonseed will be authorized at any port on the Mexican Border when certified by an inspector as having been produced in a contiguous area of Mexico, as having been treated by a method satisfactory to the Chief of Bureau, and as having been subsequently protected from contamination.

(2) Entry of cottonseed hulls will be authorized at any port on the Mexican Border when certified by an inspector as having been produced from seed that was treated in a contiguous area of Mexico by a method satisfactory to the Chief of Bureau, and as having been subsequently protected from contamination.

(3) Upon arrival in the United States such cottonseed and cottonseed hulls shall be released from further plant quarantine entry restrictions and shall immediately become subject to the requirements of § 301.52–1 et seq. of this chapter, applicable to cottonseed and cottonseed hulls produced in the area into which the importation is made.

(d) *Covers.* Entry of covers from continguous areas of Mexico will be authorized at any port on the Mexican Border but otherwise under the same conditions as those prescribed in § 319.8–8 for covers from countries other than Mexico.

§ 319.8–10 *From West Coast of Mexico*—(a) *Compressed lint and linters.* Contingent (1) upon the continued maintenance by the duly authorized Mexican officials of effective quarantine measures to prohibit the movement into the West Coast of Mexico of cotton and covers grown or handled in parts of Mexico infested with the pink bollworm or in countries other than the United States, and (2) upon continued freedom of this area from infestation with the pink bollworm, the entry of lint and linters that are compressed and that originate in the West Coast of Mexico will be authorized through such ports on the Mexican Border as are specified in the permits. If the Chief of Bureau or the inspector determines that either of these contingencies is not met, entry will be refused under this paragraph and will only be authorized in accordance with the requirements of this subpart applicable to the importation of such material from countries other than Mexico.

(b) *Uncompressed lint and linters.* Uncompressed lint and linters from the West Coast of Mexico may be entered for immediate transportation to a port designated by the inspector and by a route selected by him from a list of administratively approved ports and routings available to him, for compression, vacuum fumigation, or immediate exportation, or such material may be entered for movement in Customs custody to an approved mill or plant, the owner or operator of which has executed an agreement with the Bureau similar to that described in § 319.8–6 (a) (2)

(c) *Treated linters and cottonseed hulls.* Linters and cottonseed hulls originating in the West Coast of Mexico that have been certified by an inspector as having been produced from cottonseed that was treated in the West Coast of Mexico by a method satisfactory to the Chief of Bureau and as having been subsequently protected from contamination may be entered through Nogales, Arizona, and such other ports as are specified in the permits.

§ 319.8–11 *From Imperial Valley, Mexico.* Contingent upon the continued maintenance by the duly authorized Mexican officials of effective quarantine measures to prohibit the movement into the State of Baja California, Mexico, of cotton and covers grown or handled in other parts of Mexico or in countries other than the United States, and upon continued freedom of the Imperial Valley of Mexico from infestation with the pink bollworm, and upon the absence of conditions in the Territory of Baja California that would increase the risk of pest introduction into the United States by importations under this section, the entry of cotton and covers orig-

mating in the Imperial Valley of Mexico will be authorized through such ports on the Mexican Border as are specified in the permits. If the Chief of Bureau or the inspector determines that any of these contingencies is not met, entry will be refused under this section and will only be authorized in accordance with the requirements of this subpart applicable to the importation of cotton and covers from countries other than Mexico.

§ 319.8–12 *Special authorization for lint, linters, and waste from Mexico.* Lint, linters, and waste subject to but not meeting the requirements for entry under §§ 319.8–9, 319.8–10, and 319.8–11 may be authorized entry at a port on the Mexican Border named in the permit for movement by rail (a) in Customs custody to New Orleans for vacuum fumigation or immediate exportation, or (b) to a designated plant for manufacture into cellulose when the plant has executed an agreement with the Bureau similar to that described in § 319.8–6 (a) (2)

§ 319.8–13 *Mexican cotton and covers not otherwise enterable.* Cotton and covers from Mexico not eligible for entry under §§ 319.8–9 through 319.8–12 will only be authorized entry in accordance with the requirements of §§ 319.8–6 through 319.8–8.

MISCELLANEOUS PROVISIONS

§ 319.8–14 *Importation into United States of cotton and covers exported therefrom.* (a) Cotton and covers grown, produced, or handled in the United States and exported therefrom, and in the original bales or other containers in which such material was exported therefrom, may be imported into the United States at any port under permit, without vacuum fumigation or restriction as to utilization, upon compliance with §§ 319.8–2, 319.8–4, and 319.8–5, and upon the submission of evidence satisfactory to the inspector that such material was grown, produced, or handled in the United States and does not constitute a risk of introducing the pink bollworm into the United States.

(b) Cotton and covers of foreign origin imported into the United States in accordance with this subpart and exported therefrom, when in the original bales or other original containers, may be reimported into the United States under the conditions specified in paragraph (a) of this section.

§ 319.8–15 *Importation for exportation, and importation for transportation and exportation, storage.* (a) Importation of cotton and covers for exportation, or for transportation and exportation in accordance with this subpart shall also be subject to §§ 352.1 through 352.8 of this chapter, and amendments thereof.

(b) Importation of unfumigated lint, linters, waste, cottonseed cake, cottonseed meal, and covers used only for cotton, at northern ports, for exportation or for transportation and exportation through another northern port, may be authorized by the inspector under permit if, in his judgment, such procedures can be authorized without risk of introducing the pink bollworm.

(c) Importation, for purposes of storage in Customs custody pending exportation, of lint, linters, and waste, compressed to high density, from countries other than Mexico, will be authorized under permit at any port where approved vacuum fumigation facilities are available, or may hereafter be made available, and where there are inspectors at the port to supervise such storage, if the bales of such material are free of surface contamination, subject to segregation from other cotton and covers satisfactory to the inspector and to such collection and disposal of waste as may be required under § 319.8–23.

(d) Importation of lint, linters, and waste from Mexico for transportation and exportation will be authorized under permit if such material is compressed before, or immediately upon entry into the United States, or is compressed while en route to the port of export at a compress specifically authorized in the permit. The ports of export which may be named in the permit shall be limited to those that have been administratively approved for such exportation.

(e) Importation of uncompressed lint, linters, and waste from Mexico, other than from the West Coast of Mexico subject to § 319.8–10 (b) will be authorized under permit at Brownsville, Texas, for exportation. Importation of such material may also be authorized at such other ports and under such conditions as may be designated in the permits for transportation to and exportation from the designated ports.

§ 319.8–16 *Samples.* (a) Samples of lint, linters, waste, cottonseed cake, and cottonseed meal may be entered without further permit other than the authorization contained in this section, but subject to inspection and such treatment as the inspector may deem necessary. Samples which represent either such products of United States origin or such products imported into the United States in accordance with the requirements of this subpart, and which were exported from the United States, may be entered into the United States without inspection when the inspector is satisfied as to the identity of the samples.

(b) Samples of cottonseed or seed cotton may be entered subject to the conditions and requirements provided in §§ 319.8–2, 319.8–4, and 319.8–17.

(c) Bales or other containers of cotton shall not be broken or opened for sampling and samples shall not be drawn until the inspector has so authorized and has prescribed the conditions and safeguards under which such samples shall be obtained.

§ 319.8–17 *Cottonseed or seed cotton for experimental or scientific purposes.* Entry of small quantities of cottonseed or seed cotton for experimental or scientific purposes may be authorized through such ports as may be named in the permit, and shall be subject to such special conditions as shall be set forth in the permit to provide adequate safeguards against pest entry.

§ 319.8–18 *Importations by the Department of Agriculture.* Cotton and covers may be imported by the Department of Agriculture for experimental or scientific purposes under such conditions as may be prescribed by the Chief of Bureau, which conditions may include clearance through the Division of Plant Exploration and Introduction of the Bureau of Plant Industry, Soils, and Agricultural Engineering.

§ 319.8–19 *Processed lint, linters, and waste.* (a) Entry of lint, linters, and clean waste from any country will be authorized without treatment but upon compliance with other applicable requirements of this subpart when the inspector can determine that such lint, linters, and clean waste have been so processed by bleaching, dyeing, or other means, as to have removed all cottonseed or to have destroyed all insect life.

(b) Entry of hull fiber will be authorized without treatment but upon compliance with other applicable requirements of this subpart when an inspector has determined that such hull fiber is free of cottonseed.

§ 319.8–20 *Release of cotton and covers after 18 months' storage.* Cotton and covers, the entry of which has been authorized subject to vacuum fumigation or other treatment because of the pink bollworm only, and which have not received such treatment but have been stored for a period of 18 months or more in a port in the north or in a location within the pink bollworm regulated area designated in § 301.52–2 of this chapter, will be released from further plant quarantine entry restrictions.

§ 319.8–21 *Ports of entry or export.* When ports of entry or export are not specifically designated in the regulations in this subpart but are left to the judgment of the inspector, the inspector shall designate only such ports as have been administratively approved for such entry or export.

§ 319.8–22 *Treatment.* (a) (1) Vacuum fumigation as specified in this subpart shall consist of fumigation, in a vacuum fumigation plant approved by the Chief of Bureau, under the supervision of an inspector and to his satisfaction. Continued approval of the plant will be contingent upon the granting by the operator thereof, to the inspector, of access to all parts of the plant at all reasonable hours for the purpose of supervising sanitary and other operating conditions, checking the efficacy of the apparatus and chemical operations, and determining that wastage has been cleaned up and disposed of in a manner satisfactory to the inspector; and upon the maintenance at the plant of conditions satisfactory to the inspector.

(2) After cotton and covers have been vacuum fumigated they shall be so marked under the supervision of an inspector. Such material may thereafter be distributed, forwarded, or shipped without further plant quarantine entry restriction.

(3) Cotton and covers held by an importer for vacuum fumigation must be stored under conditions satisfactory to the inspector.

(4) Prompt vacuum fumigation of cotton and covers (other than high den-

sity cotton free of surface contamination) will be required at non-Northern ports. Similar prompt vacuum fumigation will be required at Norfolk, Virginia, during the period June 15 to October 15 of each year.

(b) An inspector may authorize the substitution of processing, utilization, or other form of treatment for vacuum fumigation when in his opinion such other treatment, selected by him from administratively authorized procedures, will be effective in eliminating infestation of the pink bollworm.

§ 319.8–23 *Collection and disposal of waste.* (a) Importers shall handle imported, unfumigated cotton and covers in a manner to avoid waste. If waste does occur, the importer or his agent shall collect and dispose of such waste in a manner satisfactory to the inspector.

(b) If, in the judgment of an inspector, it is necessary as a safeguard against risk of pest dispersal to clean railway cars, lighters, trucks, and other vehicles used for transporting such cotton or covers, or to clean piers, warehouses, fumigation plants, mills, or other premises used in connection with importation of such cotton or covers, the importer or his agent shall perform such cleaning, in a manner satisfactory to the inspector.

(c) All costs incident to such collection, disposal, and cleaning other than the services of the inspector during his regular tour of duty and at the usual place of duty, shall be borne by the importer or his agent.

§ 319.8–24 *Costs and charges.* The services of the inspector during regularly assigned hours of duty and at the usual places of duty shall be furnished without cost to the importer. The Bureau will not assume responsibility for any costs or charges, other than those indicated in this section, in connection with the entry, inspection, treatment, conditioning, storage, forwarding, or any other operation of any character incidental to the physical entry of an importation of a restricted material.

§ 319.8–25 *Material refused entry.* Any material refused entry for noncompliance with the requirements of this subpart shall be promptly removed from the United States or abandoned by the importer for destruction, and pending such action shall be subject to the immediate application of such safeguards against escape of plant pests as the inspector may prescribe. If such material is not promptly safeguarded by the importer, removed from the United States, or abandoned for destruction to the satisfaction of the inspector it may be seized, destroyed, or otherwise disposed of in accordance with section 10 of the Plant Quarantine Act (7 U. S. C. 164a) Neither the Department of Agriculture nor the inspector will be responsible for any costs accruing for demurrage, shipping charges, cartage, labor, chemicals, or other expenses incidental to the safeguarding or disposal of material refused entry by the inspector, nor will the Department of Agriculture or the inspector assume responsibility for the value of material destroyed.

§ 319.8–26 *Applicability of Mexican Border Regulations.* The provisions in this subpart in no way affect the applicability of Part 320 of this chapter, the Mexican Border Regulations, to the entry from Mexico of railway cars or other vehicles or materials that may contain cotton or covers or be contaminated therefrom.

The purposes of this revision are to rescind the present restrictions on the importation of cottonseed oil from Mexico; to include as a basis for quarantine action the hazards of introducing the golden nematode of potatoes and the flag smut disease in used bagging; and to revise and consolidate into one document the foreign pink bollworm quarantine and the several orders and regulations relating to the importation of cotton lint (baled or unbaled) cotton and cotton wrappings, and cottonseed cake, meal, and all other cottonseed products, except oil.

Under the revised document, conditional importation under safeguards of unfumigated cotton and cotton products will be allowed when such products are destined to an approved mill or plant operating under an agreement to utilize the products in a manner to eliminate all possibility of pest introduction; and unfumigated cotton that has been stored in certain geographical areas in the United States for a period of 18 months will be released without further treatment. The regulations also revise certain established procedures to conform to current experiences and to knowledge acquired as to hazards of pest introduction involved.

The quarantine and regulations set out above shall be effective on and after May 10, 1953. The foreign pink bollworm quarantine and supplemental regulations and the orders and regulations concerning the importation of foreign cotton lint, cotton, and cotton wrappings, cottonseed cake, cottonseed meal, and all other cottonseed products except oil, and administrative instructions thereunder, and the order restricting the importation of cottonseed oil from Mexico, constituting the subpart Pink Bollworm of Cotton in 7 CFR Part 319 and the subparts Foreign Cotton Lint and Cottonseed Products From All Foreign Countries in 7 CFR Part 321, are hereby terminated effective on the aforesaid date.

Done at Washington, D. C., this 7th day of April 1953.

[SEAL] TRUE D. MORSE,
Acting Secretary of Agriculture.

[F. R. Doc. 53–3130; Filed, Apr. 9, 1953; 8:58 a. m.]

PART 321—RESTRICTED ENTRY ORDERS

SUBPART—FOREIGN COTTON LINT

SUBPART—COTTONSEED PRODUCTS FROM ALL FOREIGN COUNTRIES

CROSS REFERENCE: For termination of subparts Foreign Cotton Lint and Cottonseed Products From All Foreign Countries, see Part 319 of this chapter, *supra.*

Chapter IX—Production and Marketing Administration (Marketing Agreements and Orders), Department of Agriculture

PART 929—MILK IN THE MUSKOGEE, OKLAHOMA, MARKETING AREA

ORDER AMENDING ORDER REGULATING HANDLING

§ 929.0 *Findings and determinations.* The findings and determinations hereinafter set forth are supplementary and in addition to the findings and determinations previously made in connection with the issuance of the aforesaid order; and all of said previous findings and determinations are hereby ratified and affirmed, except insofar as such findings and determinations may be in conflict with the findings and determinations set forth herein.

(a) *Findings upon the basis of the hearing record.* Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.) and the applicable rules of practice and procedure, as amended, governing the formulation of marketing agreements and marketing orders (7 CFR Part 900) a public hearing was held upon certain proposed amendments to the tentative marketing agreement and to the order regulating the handling of milk in the Muskogee, Oklahoma, marketing area. Upon the basis of the evidence introduced at such hearing and the record thereof, it is found that:

(1) The said order, as hereby amended, and all of the terms and conditions thereof, will tend to effectuate the declared policy of the act;

(2) The parity prices of milk as determined pursuant to section 2 of the act are not reasonable in view of the price of feeds, available supplies of feeds, and other economic conditions which affect market supplies of and demand for milk in the marketing area, and the minimum prices specified in the order, as hereby amended, are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk and be in the public interest; and

(3) The said order, as hereby amended, regulates the handling of milk in the same manner as and is applicable only to persons in the respective classes of industrial and commercial activity specified in a marketing agreement upon which a hearing has been held.

(b) *Additional findings.* It is necessary in the public interest to make this order amending the order effective immediately. This action is necessary to reflect current marketing conditions, and to facilitate, promote and maintain the orderly marketing of milk produced for the Muskogee, Oklahoma, marketing area. The changes effected by this order amending the order do not require of persons affected substantial or extensive preparation prior to the effective date. In view of the foregoing it is hereby found that good cause exists for making this order effective immediately (sec. 4 (c) Administrative Procedure Act, 5 U. S. C. 1003 (c)).

(c) *Determinations.* It is hereby determined that handlers (excluding cooperative associations of producers who are not engaged in processing, distributing or shipping milk covered by this order amending the order which is marketed within the Muskogee, Oklahoma, marketing area) of more than 50 percent of the milk which is marketed within the said marketing area, refused or failed to sign the proposed marketing agreement regulating the handling of milk in the said marketing area, and it is hereby further determined that;

(1) The refusal or failure of such handlers to sign said proposed marketing agreement tends to prevent the effectuation of the declared policy of the act;

(2) The issuance of this order amending the order is the only practical means, pursuant to the declared policy of the act, of advancing the interests of producers of milk which is produced for sale in the said marketing area, and

(3) The issuance of this order amending the order is approved or favored by at least two-thirds of the producers who, during the determined representative period (February 1953) were engaged in the production of milk for sale in the said marketing area.

Order relative to handling. It is therefore ordered, that on and after the effective date hereof, the handling of milk in the Muskogee, Oklahoma, marketing area shall be in conformity to and in compliance with the terms and conditions of the aforesaid order as hereby amended as follows:

1. Delete the period at the end of § 929.90 (a) substitute therefor a colon, and add the following: *"Provided,* That deliveries during the period of October 1952 through January 1953 of milk priced under Order No. 76 regulating the handling of milk in the Fort Smith, Arkansas, marketing area, shall be used in the computation of daily average bases effective in the months of April through June 1953 for producers who became producers under this order prior to January 31, 1953, because of changes in operations of affiliated handlers."

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. and Sup. 608c)

Issued at Washington, D. C., this 7th day of April 1953, to be effective immediately.

[SEAL] TRUE D. MORSE,
Acting Secretary of Agriculture.

[F. R. Doc. 53-3078; Filed, Apr. 9, 1953; 8:49 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter V—Department of the Army

Subchapter G—Procurement

PART 590—GENERAL PROVISIONS

PART 602—GOVERNMENT PROPERTY

ARMY PROCUREMENT PROCEDURE; MISCELLANEOUS AMENDMENTS

1. Section 590.606–8 is rescinded and the following substituted therefor:

§ 590.606–8 *Distribution to the Army Audit Agency of procurement contracts and other documents.* (a) Contracting Officers of the Department of the Army will distribute authenticated copies of signed contracts and other information as specified in this section to the regional offices of the Army Audit Agency in order that the Army Audit Agency may plan for the performance of the independent audits contemplated by DA General Orders 85, 1948.

(1) One copy of all cost (or cost sharing) cost-plus-a-fixed-fee, time and material contracts and fixed price contracts containing cost reimbursement provisions for portions of the contract performance (including letter contracts) also one copy of all changes, amendments, and supplements to such contracts.

(2) One copy of any other type of negotiated contract (including letter contracts) where the total compensation to be paid the Contractor is based, in whole or in part, on the actual costs incurred, the quantity of work or service performed, the time element in performing the work or service, or on other similar variable factors; also one copy of all changes, amendments, and supplements to such contracts.

(3) One copy of all contracts (including letter contracts) which provide for price redetermination, price escalation, incentive price adjustment, advance payments, partial payments, or progress payments; also one copy of all changes, amendments, and supplements to such contracts.

(4) One copy of all contracts which have been terminated and which were not previously forwarded under requirements of subparagraph (1), (2), or (3) of this paragraph.

(b) In addition to the contractual documents required by paragraph (a) of this section the Contracting Officer will forward promptly an original and one copy of all cost statements, settlement proposals in connection with contracts terminated for the convenience of the Government, financial data, termination settlement proposals (including inventory schedules and DD Form 546 (Schedule of Accounting Information)), and other information furnished by the Contractor in accordance with each contract referred to in §§ 590.606–590.606–7, or requested or acquired by the Contracting Officer. The copy of the cost statements and other data furnished will be retained by the Army Audit Agency and filed with the audit work papers, and the original returned at the time of submission of the audit report or at the time the Army Audit Agency determines that an audit is not to be initiated.

(c) For contracts involving industrial property as defined in paragraph 104.4, Appendix B, Part 413 of this title, Contracting Officers will furnish to the regional auditor, Army Audit Agency, of the region in which the official property records are maintained, a letter notification showing contract number, name, and address of Contractor, address of office administering the property records and location of the property records. Notifications may be consolidated and furnished weekly or monthly, depending on volume, but separate letters will be furnished for each location of records. Special arrangements may be made between a purchasing office and the Army Audit Agency in furnishing this information.

(d) Distribution of the contractual documents indicated in paragraph (a) of this section and supplementary information will be made by the purchasing office to the Army Audit Agency regional office of the area in which the performance will be accomplished and will include one extra copy when contracts are to be performed outside the continental limits of the United States. Special arrangements may be made by written agreement between a purchasing office and an Army Audit Agency regional office. The addresses and jurisdictional areas of the Army Audit Agency regional offices are as follows:

Name, Address of Regional Office, and Regional Jurisdiction

New York Regional Office: Army Audit Agency, 180 Varick Street, New York 14, N. Y., First Army Area.

Philadelphia Regional Office: Army Audit Agency, 2800 South Twentieth Street, Philadelphia 45, Pa., Second Army Area and Military District of Washington.

Atlanta Regional Office: Army Audit Agency, 830–836 West Peachtree Street NW., Atlanta, Ga., Third Army Area..

San Antonio Regional Office: Army Audit Agency, Fort Sam Houston, San Antonio, Tex.; Fourth Army Area.

Chicago Regional Office: Army Audit Agency, 608 South Dearborn Street, Chicago 5, Ill., Fifth Army Area.

San Francisco Regional Office: Army Audit Agency, Fort Mason, San Francisco, Calif., Sixth Army Area.

(e) Contracts other than those specified in paragraph (a) of this section will not be distributed to the Army Audit Agency.

2. In § 590.607–1, paragraphs (a) and (b) (3), (4) and (5) are amended to read as follows:

§ 590.607–1 *Cost-reimbursement type contracts*—(a) *Mandatory audits.* The Army Audit Agency will schedule and perform audits on the types of contracts included under § 590.606–8 (a) (1) including termination settlement proposals thereunder.

(b) *Differences and disputes.* * * *

(3) Generally any differences in opinion with respect to allowability of costs should be capable of resolution at the Contracting Officer and Regional Auditor level. However, if agreement cannot be reached after the exchange of correspondence required in subparagraph (2) of this paragraph, the Contracting Officer, within 5 days after receiving the Regional Auditor's reply to his previous comments, will transmit the complete file direct to the Head of the Procuring Activity involved, forwarding a copy of the transmittal letter to the Regional Auditor. Upon receipt of copy of the transmittal letter, the Regional Auditor will forward his complete file, including the audit work papers to the Chief, Army Audit Agency, sending a copy of his transmittal letter to the Contracting Officer.

(4) Within 7 days after receipt of the files, the designated representative of the Head of the Procuring Activity concerned and the designated representative of the Chief, Army Audit Agency,

acting as an informal board, will make a final decision on the items in dispute and jointly will advise the Contracting Officer direct with respect thereto with an information copy to the Regional Auditor. All decisions of the informal board will have the written approval of the Head of the Procuring Activity concerned and of the Chief, Army Audit Agency.

(5) In the event that the Head of the Procuring Activity and the Chief, Army Audit Agency are unable to agree, the dispute will be referred direct to the Secretary who will render a final decision on the issues involved.

* * * * *

3. In § 590.607–2, paragraphs (a) (1) and (f) are revised to read as follows:

§ 590.607–2 *Fixed-price contracts*—(a) *When audits will be performed.* (1) Audits of cost data submitted by Contractors in connection with the negotiation or revision of prices and settlement proposals of contracts terminated for convenience under fixed-price contracts will be performed:

* * * * *

(f) *Action of Army Audit Agency upon receipt of contractual documents indicating settlement of price redeterminations, etc.* Upon receipt of the contractural documents indicating revision of prices (or final settlements) the Army Audit Agency will evaluate the new prices in the light of the advisory audit report and other available information for overall reasonableness. A reaudit or reexamination of the Contractor's accounts will not be performed. In those cases where the new prices appear largely disproportionate to the information available, a report will be submitted through the Chief, Army Audit Agency to the Assistant Chief of Staff, G–4, Department of the Army (ATTN: Chief, Purchases Branch), for information and investigation, which office will take necessary corrective action if deemed appropriate. The Comptroller of the Army will be furnished with information indicating disposition of the report.

4. In § 602.602–4 paragraph (a) (3) is revised and a new paragraph (d) is added as follows:

§ 602.602–4 *Reporting for screening.* * * *

(a) * * *

(3) Items concerned are eligible for replacement under standards established by appropriate regulation for Government-wide application. Example: General Services Administration, Personnel Property Management, Title I, Chapter III, section 203.03.

(i) Typewriters replacement standards.

(ii) Maintenance and replacement standards for materials handling equipment.

(iii) Office furniture replacement standard. Items of office furniture consisting of desks, tables, chairs, stands, file cabinets, bookcases, supply cabinets, wardrobes, and lockers, whether made of metal, wood, or other material, may be replaced only when:

(*a*) It is determined that replacement is essential for the efficient and economical performance of the functions of the activity in accordance with the criteria established by the Head of the Procuring Activity concerned.

(*b*) The estimated cost of necessary repair or rebuilding thereof at lowest available rates, including any transportation expense, equals or exceeds 55 percent of the cost of replacing such furniture with new items of the same type and class.

* * * * *

(d) Items reported will be coded by the reporting activity as to condition in accordance with the following code:

Code	Means	Code	Means
N	New	1	Excellent.
E	Used—Reconditioned	2	Good.
O	Used—Usable without repairs.	3	Fair.
R	Used—Repairs required	4	Poor.
X	Items of no further value for use as originally intended, but of possible value other than as scrap.		

5. In § 602.602–5 paragraph (a) (2) is rescinded and the following substituted therefor:

§ 602.602–5 *Screening of personal property in the interest of utilization prior to sale or exchange.* * * *

(a) * * *

(2) The Department of Defense fair value code as set forth below:

FAIR VALUE CODE

Condition code:	*Maximum percent of acquisition cost*
N–1	50
N–2, E–1, O–1	35
N–3, E–2, O–2, R–1	20
N–4, E–3, E–4, O–3, O–4, R–2, R–3, R–4	0

* * * * *

[Proc. Cir. 10, Mar. 23, 1953] (R. S. 161; 5 U. S. C. 22. Interpret or apply 62 Stat. 21; 41 U. S. C. Sup. 151–161)

[SEAL] WM. E. BERGIN,
Major General, U. S. Army,
The Adjutant General.

[F. R. Doc. 53–3094; Filed, Apr. 9, 1953; 8:52 a. m.]

TITLE 38—PENSIONS, BONUSES, AND VETERANS' RELIEF

Chapter I—Veterans' Administration

PART 3—VETERANS CLAIMS

MISCELLANEOUS AMENDMENTS

1. In § 3.61, paragraph (a) is amended to read as follows:

§ 3.61 *Validity of enlistment a prerequisite to entitlement*—(a) *Fraudulent enlistments involving other than concealment of minority.* With the exception of illegal enlistments, that is, those in which the individual lacks legal capacity to contract, contracts of enlistment fraudulently procured by enlisted persons are generally voidable rather than void. Such voidable contracts fall into two categories, (1) those prohibited by statute (the enlistment of a deserter or one who has been convicted of a felony—10 U. S. C. 622) and (2) those enlistments fraudulently entered into which do not fall within the foregoing statutory prohibition but serve as the basis of avoidance of the contract and the granting of an undesirable discharge. Contracts of enlistment falling within the purview of subparagraph (1) of this paragraph which are affirmatively voided by the service department confer no entitlement to compensation or pension, notwithstanding it be established the disability was incurred while actually performing service pursuant to the enlistment which subsequently was avoided. In such cases the granting of an undesirable discharge, upon discovery of the fruad, operates as an affirmative avoidance of the contract by the service department and renders such contract void from its inception. For example, a veteran in desertion who reenlisted and served honorably is not barred from pension, if otherwise entitled by reason of his honorable service, unless the reenlistment was affirmatively voided by the service department. Hence, where there was no legal capacity to contract as in the case of an insane person and where the enlistment of one prohibited by statute from enlisting is rescinded for fraud in such enlistment, a valid enlistment contract may not be said to have been in existence for compensation and pension purposes. As to contracts of enlistment within the purview of subparagraph (2) of this paragraph, the contracts are valid from the date of entry upon active duty to the date of voidance by the service department and may serve as bases of entitlement to pension (War or Pub. Law 28/82 service), and to disability compensation for disability incurred or aggravated during such service, provided the discharge or release from active service is held to be under other than dishonorable conditions. Generally discharge for concealment of a condition which would have prevented enlistment will be held to be under dishonorable conditions. The preceding sentence is not applicable to conditions other than physical.

* * * * *

2. In § 3.236, paragraph (c) (4) is amended to read as follows:

§ 3.236 *Special monthly compensation specified by or fixed pursuant to paragraph II, Parts I and II, Veterans Regulation 1 (a) (38 U. S. C. ch. 12), as amended by Public Laws 182, 659, and 662, 79th Congress, and Public Law 427, 82d Congress.* * * *

(c) *Intermediate rates fixed pursuant to law.* * * *

(4) With the requirements for any of the rates provided in paragraph II (l) to (n) inclusive, Part I, or the corresponding peacetime rate, and additional disability (single permanent disabilities or combinations of permanent disabilities with the usual prohibition against pyramiding) independently ratable at 50 percent or more, the rate will be intermediate, i. e., $290 per month, if the basic rate is $266, $333 per month, if the basic rate is $313, or $377 per month, if the basic rate is $353, or the corresponding peacetime rate.

* * * * *

3. In § 3.237, paragraph (b) (6) and (7) is amended to read as follows:

§ 3.237 *Additional allowance or increased compensation or pension for nurse and attendant and adjustment of awards during institutionalization.* * * *

(b) *Reductions during hospitalization.* * * *

(6) In the special case of entitlement under paragraph II (m) Part I, or the corresponding peacetime rate, only on account of blindness of both eyes, rendering him so helpless as to be in need of regular aid and attendance, the reduction will be to the rate prescribed under subparagraph (l) with the same additional compensation on account of independently ratable disability or under subparagraph (k) if any.

(7) In cases other than blindness, rendering the person so helpless as to be in need of regular aid and attendance, entitling under subparagraph (m) additional pension of $47 (or $37.60) per month under paragraph II (k) Part I, or the corresponding peacetime rate, or on account of 50 percent disability or 100 percent disability in excess of the conditions entitling under paragraph II (l) (m) or (n) Part I, or the corresponding peacetime rate, is not subject to reduction on account of being furnished nursing or attendant's service.

The reduced rate of compensation or pension in such instances will be effective as of the beginning of the maintenance of the disabled veteran in an institution by the Veterans' Administration. The compensation or pension in all cases contemplated herein is subject to the limitations contained in § 3.255.

* * * * *

(Sec. 5, 43 Stat. 608, as amended, sec. 2, 46 Stat. 1016, sec. 7, 48 Stat. 9; 38 U. S. C. 11a, 426, 707)

This regulation is effective April 10, 1953.

[SEAL] H. V. STIRLING,
Deputy Administrator.

[F. R. Doc. 53-3055; Filed, Apr. 9, 1953; 8:45 a. m.]

PART 17—MEDICAL

OUTPATIENT TREATMENT

In § 17.60, paragraph (a) (8) is amended to read as follows:

§ 17.60 *Outpatient treatment.* (a) * * *

(8) Persons who served in the active military or naval forces during the Spanish-American War, Philippine Insurrection, or Boxer Rebellion (April 21, 1898 to July 4, 1902, or to July 15, 1903, if the service was in Moro Province) when discharged from such service under other than dishonorable conditions who are in need of outpatient treatment. Such outpatient treatment will not include medical care and treatment necessary to and part of hospital care furnished a patient while in a hospital.

* * * * *

(Sec. 5, 43 Stat. 608, as amended, sec. 2, 46 Stat. 1016, sec. 7, 48 Stat. 9; 38 U. S. C. 11a, 426, 707. Interpret or apply secs. 1, 6, 48 Stat. 9, 301, 53 Stat. 652, as amended; 38 U. S. C. 706, 706a)

This regulation is effective April 10, 1953.

[SEAL] H. V. STIRLING,
Deputy Administrator.

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PART 21—VOCATIONAL REHABILITATION AND EDUCATION

SUBPART A—EDUCATIONAL BENEFITS

RATES OF SUBSISTENCE ALLOWANCE; INTERNSHIP AND RESIDENCY COURSES

In § 21.104 (a) a new subparagraph (5) is added as follows:

§ 21.104 *Rates of subsistence allowance*—(a) *Full and part-time rates of subsistence allowance for institutional training.* * * *

(5) *Internship and residency courses.* For medical and osteopathic internship and residency courses pursued in approved hospitals, subsistence allowance will be authorized at the full-time institutional rate upon appropriate certification of the hospital that the veteran is pursuing full-time training.

* * * * *

(Sec. 2, 46 Stat. 1016, sec. 7, 48 Stat. 9, sec. 2, 57 Stat. 43, as amended, sec. 400, 58 Stat. 287, as amended; 38 U. S. C. 11a, 701, 707, ch. 12 note. Interprets or applies secs. 3, 4, 57 Stat. 43, as amended, secs. 300, 1500–1504, 1506, 1507, 58 Stat. 286, 300, as amended; 38 U. S. C. 693g, 697–697d, 697f, g, ch. 12 note)

This regulation is effective April 10, 1953.

[SEAL] H. V. STIRLING,
Deputy Administrator.

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PART 21—VOCATIONAL REHABILITATION AND EDUCATION

SUBPART C—TRAINING FACILITIES

MISCELLANEOUS AMENDMENTS

1. In § 21.530 (a), subparagraphs (4) and (5) (iii) and (iv) are amended to read as follows:

§ 21.530 *Determination of fair and reasonable compensation*—(a) *Nonprofit institutions.* * * *

(4) *Review and adjustment of contract rates.* Contracts under the provisions of this paragraph for training of veterans shall be made for a period not to exceed 12 months. In negotiating rates for new contracts or rates for any adjustment period, consideration will be given to any surpluses or deficits accumulated or incurred as a result of the payment of the agreed fair and reasonable rate or rates in excess of or less than the allowable amount spent on the program by the institution, and the agreed fair and reasonable rate or rates for the succeeding contract period will be adjusted to make due allowance for surpluses accumulated or deficits incurred as provided in subparagraph (5) (iii) or (iv) of this paragraph, as applicable.

(5) *Establishment of customary cost of tuition under section 2, Public Law 610, 81st Congress, and adjustment for surplus or deficit.* * * *

(iii) *Where surplus or deficit exists school may elect to continue regulatory formula.* (a) If a surplus or deficit still exists at the end of any contract or adjustment period which occurs on or after the end of the 24 months' period, the rates in all succeeding contracts may be adjusted to absorb the surplus or return the deficit by continued application of the formula set forth in this paragraph or the institution may elect lump-sum settlement of surplus or deficit as provided in (b) of this subdivision. Where the school elects to continue the regulatory formula, the contract will contain a clause for adjusting the tuition rates from time to time as desired by either party as follows:

ARTICLE 1. (f) *Revision of rates:*

(1) The rates of payment provided in article 1 (c) may be revised from time to time as provided in this article 1 (f).

(2) Within 30 days after the expiration of four or more calendar months, the contractor will advise the Veterans' Administration, in writing, if the contractor desires any revision of the existing rates of compensation. If the Veterans' Administration desires any revision of the existing rates, written notice to that effect will be given to the contractor within 30 days after the expiration of four or more months. At such time as the contractor or the Veterans' Administration desires a revision of rates, the contractor will furnish to the Veterans' Administration statements of the actual cost of operation on VA Form 7-1993 for the period beginning with the effective date of the current contract rate and ending with the last day of the most recent month immediately preceding the date of the request for revision. The contractor will permit such inspections of its books and records as the Veterans' Administration may request.

(3) The Veterans' Administration and the contractor will mutually agree upon the revised rate or rates to be effective as of the beginning of the month in which notice as set forth in (2) above was given and any revised rate or rates shall be embodied in a supplemental agreement to this contract and shall continue in effect until the termination of the contract or until subsequently revised in accordance with the provisions of this article.

Where a change in contract rates is desired by either party, the Veterans' Administration and the contractor will negotiate and mutually agree upon the revised rate or rates, subject to the approval of the special assistant to the director, training facilities service for vocational rehabilitation and education for the area concerned. Upon agreement between the contractor and the Veterans' Administration as above specified and approval by the special assistant to the director, training facilities service the contract will be supplemented to amend the tuition rates. At the termination of contractual relationships under this paragraph, where contracts have been continued under the regulatory formula, a final adjustment will be made, both where money is due the Government and where it is due the school.

(b) At the end of any contract or contract adjustment period a surplus or deficit which resulted from the payment of the agreed fair and reasonable rate of compensation may be settled on a lump-sum basis: *Provided,* That appropriate adjustment has been or is made for surpluses or deficits for all previous periods, including surplus which may have been on hand on March 1, 1949. The institution will submit to the regional office on VA Form 7–1969 a certified statement of actual costs and actual hours of instruction for which the institution is entitled to be paid for the period of the most recent contract. Allowable costs will include only those provided in the cost formula in this paragraph. Each such VA Form 7–1969 will include a statement on schedule K, part 2, of the surplus or deficit for the entire period between the effective date of the first contract under this paragraph and the termination date of the most recent contract plus any surplus determined as of March 1, 1949. These cost data will also be used for the determination of a new fair and reasonable rate to be included in the next contract. In no case will compensation for a deficit be made in an amount which when added to the fair and reasonable tuition and other charges for fees, books, and supplies results in the payment of a rate in excess of either the rate of $500 for a full time course for an ordinary school year ($14.70 per week) or the claimed customary charges of the institution. Surplus or deficit determinations and fair and reasonable rates will be subject to approval of the special assistant to director, training facilities service.

(1) For payment of surplus on a lump-sum basis by institutions to the Veterans' Administration, the most recent contract will be supplemented (VA Form 7–1972) and the following standard clause will be used:

Whereas the contractor _____ and the Veterans' Administration agree that in the operation of the institution during the period from _____ to _____ pursuant to contract (identify) _____ the sum of $_____ represents the income the contractor has received, and the sum of $_____ represents allowable expenses for the program of instruction as provided in this contract: now therefore the contractor and the Veterans' Administration agree that the sum of $_____ represents a surplus which is payable to the Veterans' Administration; in consideration whereof and of the promises and mutual covenants and agreements heretofore entered into and contained in said contract the contractor agrees to pay to the Veterans' Administration the said sum of $_____ by check, payable to the Veterans' Administration, which payment shall constitute acquittance under said contract: *Provided,* That this agreement and the figures stated herein for payment shall be subject to modification to the extent that errors or inaccuracies may subsequenly be ascertained in the cost and income figures upon which predicated.

(2) For payment of a deficit by the Veterans' Administration to the educational institution, the most recent contract will be supplemented (VA Form 7–1972) and the following standard clause will be used:

Whereas the contractor _____ and the Veterans' Administration agree that in the operation of the institution during the period from _____ to _____ pursuant to contract (identify) _____ the sum of $_____ represents the income the contractor has received, and the sum of $_____ represents allowable expenses for the program of instruction as provided in this contract: now therefore the contractor and the Veterans' Administration agree that the sum of $_____ represents a deficit which is payable to the institution; in consideration whereof and of the promises and mutual covenants and agreements contained in said contract the Veterans' Administration agrees to pay to the educational institution the sum of $_____ in payment of such deficit, and such payment shall constitute full acquittance of the Government for all claims under said contract: *Provided,* That this agreement and the figures stated herein for payment are subject to modification to the extent that errors or inaccuracies may subsequently be ascertained in the cost and income figures upon which predicated.

(iv) *Establishment of customary cost of tuition upon lump-sum adjustment of surplus or deficit.* If a surplus or deficit exists, the institution may elect at the expiration of the contract period which occurs on or after 24 months or the expiration of any subsequent contract to make or receive a lump-sum adjustment of surplus or deficit and accept as a customary rate the rate established by the actual allowable cost of the prior contract, and no further adjustments will be required or made. In each case where an institution has a contract which serves as the basis for establishing a customary cost of tuition, the institution will prepare on VA Form 7–1969 a certified statement of actual costs and actual hours of instruction for which the institution is entitled to be paid for the period of such most recent contract. Allowable costs will include only those provided in the cost formula in this paragraph. Each such VA Form 7–1969 will include a statement on schedule K, part 2, of the surplus or deficit for the entire period, between the effective date of the first contract under this paragraph and the termination date of the contract which completed the 24 month period and which established the customary cost of tuition as provided in this subparagraph plus any surplus determined as of March 1, 1949. In each case where a surplus or deficit is determined, the most recent contract will be supplemented (VA Form 7–1972) For payment of surplus by the institution to the Veterans' Administration, the standard clause provided in subdivision (iii) (b) (1) of this subparagraph will be used. For payment of a deficit to the educational institution by the Veterans' Administration, the standard clause provided in subdivision (iii) (b) (2) of this subparagraph will be used. Where the school elects to repay an existing surplus through a lump-sum repayment to the Veterans' Administration as in this subdivision and elects to establish a customary cost of tuition (frozen rate) the chief of the training facilities section will secure from a responsible official of the institution a statement in writing as to the manner in which the lump-sum repayment will be made and will advise the finance officer accordingly in writing. Where payments of tuition rates under previous contracts have resulted in a deficit to the contractor and the school elects to be paid such deficit in a lump sum and elects to establish a customary cost of tuition (frozen rate), the Veterans' Administration will reimburse the school by lump-sum settlement, as in this subdivision: *Provided however,* That in no case will compensation for a deficit be made in an amount which when added to the fair and reasonable tuition and other charges for fees, books, supplies, and equipment results in the payment of a rate in excess of either the rate of $500 for a full-time course for an ordinary school year ($14.70 per week) or the claimed customary charges of the institution. The Veterans' Administration will make payment of the approved amount of the deficit upon the submission of a voucher for such lump sum in accordance with Veterans' Administration Regulations, but itemization of charges for individual veterans will not be necessary.

* * * * *

2. In § 21.616, paragraphs (a) and (c) are amended to read as follows:

§ 21.616 *Review and adjustment of contract rates*—(a) *Consideration of surplus or deficit.* Contracts for institutional on-farm training shall be executed for a period not to exceed 12 months. In negotiating new contracts or for the renewal of contracts which were in effect on or before September 1, 1947, consideration will be given to any surpluses (deficits) accumulated as a result of the payment of the agreed rates in excess (deficiency) of the amount spent on the program by the institution and the agreed rate for the succeeding contract period may be adjusted to make due allowance for accumulated surpluses (deficits) or the institution may elect lump-sum settlement of surpluses or deficits as provided in paragraph (c) of this section.

* * * * *

(c) *Lump sum adjustment of surplus or deficit upon completion of a contract or adjustment period.* (1) At the end of any contract or adjustment period a surplus or deficit which resulted from the payment of the agreed fair and reasonable rate of compensation may be settled on a lump-sum basis: *Provided,* That appropriate adjustments have been or are made for surpluses or deficits for all previous periods, including surplus which may have been on hand on September 1, 1947. The institution will submit to the regional office on VA Form 7–1969 a certified statement of actual costs and actual months of instruction for which the institution was entitled to be paid for the period of the most recent contract. Allowable costs will include only those provided in the cost formula in §§ 21.613 through 21.619. Each such VA Form 7–1969 will include a statement on schedule K, part 2, of the surplus or deficit for the entire period between the effective date of the first contract for on-farm training under Public Law 377, 80th Congress, and the termination date of the most recent contract plus any surplus determined as of September 1, 1947. These cost data will also be used for the determination of a new fair and reasonable tuition rate to be included in the

next contract. In no case will compensation for a deficit be made in an amount which when added to the fair and reasonable tuition and other charges for fees, books, supplies, and equipment results in the payment of a rate in excess of either the rate of $500 for a 12-month period ($41.66 per month), or the claimed customary charges of the institution, for contracts entered into subsequent to February 21, 1952. (See § 21.619.) Surplus or deficit determinations and fair and reasonable rates will be subject to the approval of the special assistant to director, training facilities service.

(i) For payment of surplus by institutions to the Veterans' Administration, the most recent contract will be supplemented (VA Form 7–1972) and the following standard clause will be used:

Whereas the contractor _____ and the Veterans' Administration agree that in the operation of the institution during the period from _____ to _____ pursuant to contract (identify) _____ the sum of $_____ represents the income the contractor has received, and the sum of $_____ represents allowable expenses for the program of instruction as provided in this contract; now therefore the contractor and the Veterans' Administration agree that the sum of $_____ represents a surplus which is payable to the Veterans' Administration; in consideration whereof and of the promises and mutual covenants and agreements heretofore entered into and contained in said contract the contractor agrees to pay to the Veterans' Administration the said sum of $_____ by check, payable to the Veterans' Administration which payment shall constitute acquittance under the said contract: *Provided,* That this agreement and the figure stated herein for payment shall be subject to modification to the extent that errors or inaccuracies may subsequently be ascertained in the cost and income figures upon which predicated.

(ii) For payment of deficit by the Veterans' Administration to the educational institution the most recent contract will be supplemented (VA Form 7–1972) and the following standard clause will be used:

Whereas the contractor _____ and the Veterans' Administration agree that in the operation of the institution during the period from _____ to _____ pursuant to contract (identify) _____ the sum of $_____ represents the income the contractor has received, and the sum of $_____ represents allowable expenses for the program of instruction as provided in this contract; now therefore the contractor and the Veterans' Administration agree that the sum of $_____ represents a deficit which is payable to the institution, in consideration whereof and of the promises and mutual covenants and agreements contained in said contract the Veterans' Administration agrees to pay to the educational institution the sum of $_____ in payment of such deficit, and such payment shall constitute full acquittance of the Government for all claims under said contract: *Provided,* That this agreement and the figure stated herein for payment are subject to modification to the extent that errors or inaccuracies may subsequently be ascertained in the cost and income figures upon which predicated.

* * * * *

3. Section 21.617 is revised to read as follows:

§ 21.617 *Short term renewal of contract.* If at the expiration of the contract period the institution is not in a position to submit substantiating cost data for an institutional on-farm contract to be negotiated in accordance with Veterans' Administration Regulations, the contract may be renewed for such period of time as is necessary at the same effective rate of tuition in existence. Generally, the additional time needed should not be more than 3 months, though for this purpose contracts may be renewed for a maximum period of 4 months. Such an arrangement will give the institution time to prepare cost data needed for the determination of fair and reasonable rate to be paid for the next contract period. When the final rate is agreed upon for the succeeding contract period, the renewal agreement will be superseded by the new contract providing for the agreed rate.

4. Section 21.619 is revised to read as follows:

§ 21.619 *Limitation of payments; institutional on-farm training.* Effective February 21, 1952, the maximum rate which the Veterans' Administration will pay for training in a course of institutional on-farm training is the rate of $500 for a 12 month period, and the maximum rate will not be in excess of $41.66 per veteran per month determined over the period of any contract or adjustment period: *Provided,* That in no event will payment of tuition be made at a rate in excess of the claimed customary cost of tuition.

(Sec. 2, 46 Stat. 1016, sec. 7, 48 Stat. 9, sec. 2, 57 Stat. 43, as amended, sec. 400, 50 Stat. 287, as amended; 38 U. S. C. 11a, 701, 707, ch. 12 note. Interprets or applies secs. 3, 4, 57 Stat. 43, as amended, secs. 300, 1500–1504, 1506, 1507, 58 Stat. 280, 300, as amended; 38 U. S. C. 693g, 697–697d, 697f, g, ch. 12 note)

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[SEAL] H. V. STIRLING,
Deputy Administrator.

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PART 21—VOCATIONAL REHABILITATION AND EDUCATION

SUBPART E—VETERANS READJUSTMENT ASSISTANCE ACT OF 1952

MISCELLANEOUS AMENDMENTS

1. In § 21.2031, paragraph (a) (3) is amended to read as follows:

§ 21.2031 *Applications; approval*—(a) *Application.* * * *

(3) (i) A veteran will be required to specify in his application (VA Form 7–1990) the program of education or training for which he applies and the name and address of the institution or establishment wherein he expects to commence his program; (ii) if the veteran intends to pursue a program in a college or university, he shall state the curriculum or curricula which he intends to pursue in order to reach his objective. Thus, his program will be stated in terms, such as Bachelor of Science, Bachelor of Arts, Master of Arts, and the like. If the veteran does not intend to pursue a program leading to a degree, he must state the specific subjects constituting his program; (iii) if the veteran intends to pursue his program in an institution other than a college or university, such as a high school, business college, or a vocational or trade school, he shall list in terms as designated by the school the course or courses which he intends to pursue in order to reach his objective; (iv) if the veteran intends to pursue a program of apprenticeship or other on-the-job training, or a program in a school leading to a vocational objective, he shall specify his employment objective and such objective must be a recognized employment objective either as listed in the Dictionary of Occupational Titles or, although not listed in the Dictionary of Occupational Titles, it is an occupation which is recognized as an apprenticeable trade by the State apprenticeship agency or the Federal Committee on Apprenticeship, or it is an occupation which is eligible for listing in the Dictionary of Occupational Titles as determined by the Bureau of Employment Security of the United States Department of Labor. Those cases requiring determination by the Bureau of Employment Security as to whether the employment objective is eligible for listing in the Dictionary of Occupational Titles will be forwarded by the manager to the assistant administrator for vocational rehabilitation and education for resolution of the matter with the Bureau of Employment Security.

* * * * *

2. In § 21.2051, paragraph (c) is amended to read as follows:

§ 21.2051 *Conditions governing payment of education and training allowance.* * * *

(c) Upon receipt by the Veterans' Administration of an enrollment certification from the institution showing that the veteran has entered or reentered training, the veteran will be notified of the official Veterans' Administration authorization of his training status. Educational institutions organized on a term, quarter, or semester basis may certify a veteran's enrollment period as being for a term, quarter, semester, or the regular ordinary school year, as the case may be. Such period of enrollment may not include a summer session as part of the enrollment for the regular school year. In all other types of training the enrollment certification will be for the length of the course. Since payments may be made by the Veterans' Administration only to veterans pursuing a course during a term of enrollment in accordance with the regularly established policies and regulations of the institution, enrollment for the regular ordinary school year is encouraged and will reduce administrative effort for the school, the veteran, and the Veterans' Administration. Where the educational institution is organized on a term, quarter, or semester basis and the educational institution certifies the veteran's enrollment on the enrollment certification to be for an ordinary school year, the veteran and the

institution may certify that the veteran was enrolled in and pursuing his course during the regular school vacation periods and recess periods between terms, quarters, or semesters (excluding summer sessions), and the education and training allowance will be paid for such periods. Where the veteran's enrollment in such an institution is certified by the institution to be only for the term, quarter, or semester, the veteran and the institution shall not certify on the monthly certification of training that the veteran was enrolled in and pursuing his course during periods between terms, quarters, or semesters, and no education and training allowance will be paid for such interim periods.

* * * * *

3. In § 21.2066, paragraphs (d) (1) and (h) (1) are amended, paragraph (d) (2) is deleted, and former subparagraphs (3) (4) (5) and (6) of paragraph (d) are redesignated subparagraphs (2) (3), (4) and (5)

§ 21.2066 *Measurement of full- or part-time courses.* * * *

(d) *Institutional undergraduate course recognized for credit towards a standard college degree.* (1) A veteran pursuing an undergraduate course in a collegiate institution will be considered to be pursuing a course on a credit-hour basis measured as to full time or part time, as provided in subparagraph (2) of this paragraph, when such course is offered on a semester- or quarter-hour basis by an institution which is a member of a nationally recognized accrediting association or, although not a member of such association, it grants standard semester- or quarter-hour units of credit for the particular course or curriculum concerned, not less than 40 percent of which are acceptable at full value and without examination by at least three members of such association, and

(i) The course leads to a baccalaureate or higher degree and is offered by a college or university which grants such a degree; or

(ii) The course offered by a college or university leads to an associate degree, diploma, certificate, or title and meets all of the following conditions:

(*a*) High school graduation or equivalent is required for admission to the course;

(*b*) A minimum of two full-time academic years is required for completion; and

(c) Standard semester or quarter credit hours are awarded for the course or curriculum, not less than 40 percent of which are acceptable at full value in fulfillment of requirements for a baccalaureate degree by the element of the institution which awards such a degree, or by other baccalaureate degree granting institutions which meet the criteria of subparagraph (1) of this paragraph.

(2) Courses referred to in subparagraph (1) of this paragraph when of regular semester, term, or quarter duration will be measured as follows:

(i) Full time: A minimum of 14 semester-hours or the equivalent.

(ii) Three-fourths time: Less than 14 semester-hours or the equivalent, but not less than 10 semester-hours or the equivalent.

(iii) One-half time: Less than 10 semester-hours or the equivalent, but not less than 7 semester-hours or the equivalent.

(iv) Less than one-half time: Less than 7 semester-hours or the equivalent.

(3) Where the course described in subparagraph (1) of this paragraph is of less than a regular semester, term, or quarter duration, the course will be measured as full- ¾- ½- or less than ½-time training according to the certification of the institution. In making such certification, the institution shall state the number of credit-hours for which the veteran is registered including, as provided in subparagraph (5) of this paragraph, the credit-hour equivalent of noncredit courses, if any, required by the institution and will be required to observe the following criteria:

(i) Full time: The number of credit-hours for which the veteran must be registered in order to be considered pursuing full-time training is that number which requires at least 14 standard class sessions of attendance per week or the equivalent in laboratory or field work, research, or other types of prescribed activity. For example: A veteran pursuing a short, summer session requiring attendance at 14 standard class sessions per week will be considered to be in full-time training, although because of the very short duration of the course he may be registered for only 3 credit-hours.

(ii) Three-fourths time: Less than 14 class sessions of attendance per week or equivalent but not less than 10.

(iii) One-half time: Less than 10 class sessions of attendance per week or equivalent but not less than 7.

(iv) Less than one-half time: Less than 7 class sessions of attendance per week or the equivalent.

(4) Where the course described in subparagraphs (1) and (2) of this paragraph is acceptable for credit but credit may not be awarded to the veteran-student because he has not met college entrance requirements or for some other valid reason, the course will be measured the same as if it were pursued for credit provided the veteran performs all of the work prescribed for other students who are enrolled for credit.

(5) Where the veteran is required by the institution to pursue noncredit deficiency courses in order to meet certain scholastic or entrance requirements, the credit-hour equivalent of such noncredit deficiency courses as certified by the institution will be added to the credit-hours for which the veteran is enrolled to determine whether the veteran is enrolled for full- ¾- ½- or less than ½-time training: *Provided,* That in no case will a veteran who is enrolled for less than 12 hours credit in addition to the noncredit-deficiency courses be considered in full-time training, for less than 9 hours credit in addition to the noncredit deficiency courses be considered in ¾-time training, or for less than 6 hours credit in addition to the noncredit deficiency courses be considered in ½-time training.

* * * * *

(h) *Cooperative course.* (1) The course referred to and authorized in Public Law 550, 82d Congress, as consisting of institutional courses and on-the-job courses, and as further defined and described in § 21.2205, shall be measured as full time, when the school portion measures full time under either paragraph (b) (1) (c), (d) (2) (i), (d) (3) (i) or (d) (5) of this section and a responsible official of the school offering the course certifies to the Veterans' Administration that the establishment offering the on-the-job portion will require of the veteran not less than 30 hours per week of attendance in training, except where, in a particular establishment, less than 36 hours per week have been established as the standard workweek through bona fide collective bargaining between employers and employees, and the official further certifies that the on-the-job portion meets the other criteria stated in § 21.2205 (a) (1), (3), (4), and (5)

* * * * *

4. Section 21.2302 is revised to read as follows:

§ 21.2302 *Conflicting interests.* (a) Section 264 of Public Law 550, 82d Congress, provides that:

(1) Every officer or employee of the Veterans' Administration or of the Office of Education who has, while such an officer or employee, owned any interest in, or received any wages, salary, dividends, profits, gratuities, or services from, any educational institution operated for profit in which an eligible veteran was pursuing a course of education or training under this title shall be immediately dismissed from his office or employment.

(2) If the Administrator finds that any person who is an officer or employee of a State approving agency has, while he was such an officer or employee, owned any interest in, or received any wages, salary, dividends, profits, gratuities, or services from, an educational institution operated for profit in which an eligible veteran was pursuing a course of education or training under this title, he shall discontinue making payments under section 245 to such State approving agency unless such agency shall, without delay, take such steps as may be necessary to terminate the employment of such person and such payments shall not be resumed while such person is an officer or employee of the State approving agency, or State Department of Veterans Affairs or State Department of Education.

(3) A State approving agency shall not approve any course offered by an educational institution operated for profit and, if any such course has been approved, shall disapprove each such course, if it finds that any officer or employee of the Veterans' Administration, the Office of Education, or the State approving agency owns an interest in, or receives any wages, salary, dividends, profits, gratuities, or services from, such institution.

(4) The Administrator may, after reasonable notice and public hearings, waive in writing the application of this section in the case of any officer or employee of the Veterans' Administration, of the Office of Education, or of a State approving agency, if he finds that no detriment will result to the United States or to eligible veterans by reason of such interest or connection of such officer or employee.

(b) The statute applies only to an institution operated for profit and only to a period when at least one eligible

veteran was, or is, enrolled therein under Public Law 550.

(c) Where it is found that a Veterans' Administration employee owns or has owned any interest in, or received any wages, salary, dividends, profits, gratuities, or services from, any such educational institution, the manager, in the case of a field station employee, or the assistant administrator concerned, in the case of a central office employee, will proceed in accordance with the provisions set forth in current Veterans' Administration personnel procedures.

(d) Where it is found that an employee of the Office of Education has owned any interest in, or received any wages, salary, dividends, gratuities, profits, or services from, any such educational institution and the Commissioner of Education requests waiver of the application of the provisions of section 264 with respect to such employee, such request for waiver will be addressed to the assistant administrator for vocational rehabilitation and education who will arrange for the issuance of appropriate notice and for the conduct of public hearings.

(e) When the manager of a regional office which is responsible for payments to a State agency under reimbursement contracts executed pursuant to section 245 of Public Law 550 determines that an officer or employee of a State approving agency which is a party to such contract has, while he was such an officer or employee, owned any interest in, or received any wages, salary, dividends, profits, gratuities, or services from, any such educational institution, the manager shall notify such State agency in writing that unless he is advised within 15 days from the date of the written notice by the State agency of the termination of the service of such an employee (or of the initiation of action legally necessary thereto) he will suspend payments under any existing contract between the Veterans' Administration and the State agency pursuant to section 245 of Public Law 550, 82d Congress, as of the beginning of the month in which the violation was reported to the State. In the event waiver is requested by the employee, the agency, or the school (and the objectionable relationship with the school is not terminated) the manager upon receipt thereof will immediately insert notice in a newspaper or newspapers published in the city in which the State approving agency is located and in the city in which, or nearest to, that where the institution is located, which notice shall read substantially as follows:

The Veterans' Administration has received a request for waiver of the application of section 264 (b), Public Law 550, 82d Congress (66 Stat. 679), insofar as it may be applicable to certain employees of the (insert name of State agency), so that they may also be employed as (insert type of employment) by (insert name of school), located in (insert name of city in which school is located). All persons desiring to be heard on this matter should communicate in writing with the Manager, Veterans' Administration (regional office), (insert address of regional office), prior to (30 days from the date of publication) setting forth the basis of their interest and their objections, if any, to the granting of such request.

If, as a result of such publication, or otherwise, a hearing is requested, the manager will arrange for a hearing to be conducted in a manner similar to that provided in current Veterans' Administration personnel procedures. Immediately following the hearing, the manager will submit to the assistant administrator for vocational rehabilitation and education a complete transcript of the hearing together with a copy of any notice or notices published in the newspaper or newspapers as required in this paragraph and his recommendations as to whether or not the waiver should be granted. If; after payments have been suspended pursuant to notice to the State approving agency by the manager as provided in this paragraph, the State approving agency informs the manager in writing that the employment of such employee has been terminated, the manager will resume payments to the State approving agency as of the beginning of the month following such termination and will submit a report of such action to the assistant administrator for vocational rehabilitation and education. If a waiver is requested and the Administrator grants such request, following notice and a public hearing, if any, as provided in this paragraph, the manager will be advised of such action by the assistant administrator for vocational rehabilitation and education and instructed to resume payments to the State approving agency effective as of the date such payments were suspended. In the event a waiver is requested by the State approving agency and such request for waiver is subsequently denied by the Administrator, the manager will be so informed by the assistant administrator for vocational rehabilitation and education. Payments under the contract shall not be resumed until the manager has received evidence of termination of the services of the employee and in addition evidence that such individual is no longer an employee of either the State approving agency, the State Department of Veterans Affairs, or the State Department of Education, in which case, payments will be resumed effective as of the beginning of the month following receipt of evidence of such termination.

(f) Where it is found that an officer or employee of the Veterans' Administration, the Office of Education, or a State approving agency has any interest in, or receives any wages, salary, dividends, profits, gratuities, or services from, any such institution, the manager of the regional office having jurisdiction over the territory in which the institution is located shall notify immediately the State approving agency and the institution that pursuant to the provisions of section 264 (c) Public Law 550, 82d Congress, the courses offered by such institution which have been approved for purposes of Public Law 550, 82d Congress, shall be disapproved subject to waiver pursuant to the provisions of section 264 (d) of the law and these Veterans' Administration Regulations. In the event a request for a waiver is made by the State approving agency, the employee, or the institution, such request will be processed by the appropriate regional office in accordance with the instructions set forth in this section. Any request from the Office of Education for waiver will be processed by the assistant administrator for vocational rehabilitation and education. In the event a waiver is requested, the State approving agency will be advised by the manager of such request and informed that action need not be taken to disapprove the courses offered by the educational institution pending a final determination of the Administrator on the request for waiver. If the request for waiver is denied, the manager will be so advised by the assistant administrator for vocational rehabilitation and education, and shall immediately notify the State approving agency and the school in writing of such decision. If the request for waiver is approved, the manager will be similarly informed, and shall notify the State approving agency and the school of the granting of the waiver, in which event no further action need be taken. In any case wherein:

(1) The course or courses are disapproved by the State agency, or

(2) The State agency fails to disapprove the course or courses within 15 days from the date of the written notice addressed to the agency by the manager, and no waiver has been requested, or

(3) Requested waiver has been denied.

The manager will notify each veteran enrolled in such disapproved course or courses by letter addressed to him at the last address of record that he may apply for enrollment in an approved course in another institution, but that in the absence of such transfer, benefit payments will be discontinued on the 30th day subsequent to the date of such letter, or of discontinuance of training, whichever is earlier.

(g) Where a request is made to the Administrator for waiver of the application of section 264, Public Law 550, 82d Congress, with respect to any officer or employee of the Veterans' Administration, the Office of Education, or of a State approving agency, the Administrator, unless for other valid reasons it is shown that waiver should not be granted, will find that no detriment will result to the United States or to eligible veterans by reason of such interest or connection of such officer or employee, provided the employee concerned (1) acquired his interest in such institution by operation of law, or acquired it, or his connection with such institution began, before the statute became applicable to such employee, and such interest has been disposed of and his connection discontinued, or (2) meets all of the following conditions:

(i) His position involves no policy determinations, at any administrative level, having to do with matters pertaining to Title II, Public Law 550.

(ii) His position has no relationship with the processing of any veteran's claim for education and training benefits under this Law.

(iii) His position precludes him from taking any adjudication action on individual cases under this Law.

(iv) His position does not require him to perform duties involved in the investigation of irregular actions on the part of schools or veterans in connection with Public Law 550.

(v) His position is not connected with the processing of claims by, or payments to, institutions or students enrolled therein under the provisions of Public Law 550.

(vi) His work is not connected in any way with the inspection, approval, or supervision of institutions or establishments desiring to train veterans under the provisions of Public Law 550, 82d Congress.

(h) There is hereby delegated to the assistant administrator for vocational rehabilitation and education the authority to grant waivers in the case of any employee who meets the criteria set forth in paragraph (g) of this section and to deny all requests for waivers which do not meet such criteria, except those requests which, in the opinion of the assistant administrator for vocational rehabilitation and education, should be submitted to the Administrator for final decision. The Administrator reserves the right to grant waivers in the case of any employee who does not meet all of the criteria set forth in paragraph (g) of this section, when he determines that no detriment will result to the United States or to eligible veterans by reason of the interest or connection of the officer or employee involved.

5. Section 21.2308 is corrected to read as follows (the purpose of this amendment is to modify the paragraphing arrangement in paragraph (a) (4) the content of the paragraph remains unchanged)

§ 21.2308 *Criminal penalties and forfeitures; forfeiture of rights.* (a) Public Law 550, 82d Congress, makes provision for certain penalties upon a finding of willful, fraudulent acts, having to do with any claim for payment or any matter arising under that Law, including forfeiture of rights, claims and benefits thereunder and under Public No. 2, 73d Congress, as amended. When any employee of the Veterans' Administration discovers what is thought to be:

(1) A false or fraudulent affidavit, declaration, certificate, statement, voucher, endorsement, or paper of writing purporting to be such, concerning any claim or the approval of any claim for benefits under this Law, or pertaining to any matter arising under this Law, or

(2) Indication of the making or presentation of any paper required under this Law wherein a date has been willfully inserted other than the date upon which it was actually signed or acknowledged by the claimant, or

(3) A false certification by any person that a declarant, affiant or witness named in an affidavit, declaration, voucher, endorsement, or other paper or writing appeared personally before such person and was sworn thereto or that such person acknowledged the execution thereof, or

(4) Indication that any beneficiary under this Law has accepted and converted to his own use payments for any period during which he was not actually pursuing a course of education or training under this Law for which period payment was made,

such employee shall refer the case to the chief attorney within a regional office, or the solicitor if in central office, who after such preliminary investigation as may be necessary will determine

(5) Whether there is prima facie evidence of violation of a criminal statute, and

(6) Whether there is prima facie evidence of an offense subject to the forfeiture provisions of section 15, Public No. 2, 73d Congress.

In the event of affirmative finding as to subparagraph (5) of this paragraph, the chief attorney, or the solicitor, will refer the case to the United States Attorney, or to the Department of Justice, as the case may be, for consideration or any necessary action; and if the finding as to subparagraph (6) of this paragraph, be in the affirmative, that is, that the forfeiture provisions of Public No. 2, 73d Congress are involved, will refer the case to the appropriate adjudication officer for reference to the committee on waivers and forfeitures of central office.

(Sec. 261, Pub. Law 550, 82d Cong.)

This regulation is effective April 10, 1953.

[SEAL] H. V STIRLING,
Deputy Administrator

[F. R. Doc. 53-3059; Filed, Apr. 9, 1953; 8:46 a. m.]

TITLE 43—PUBLIC LANDS: INTERIOR

Chapter I—Bureau of Land Management, Department of the Interior

Appendix—Public Land Orders

[Public Land Order 889]

UTAH

RESERVING CERTAIN PUBLIC LAND AS ROCK ISLAND WILDLIFE MANAGEMENT AREA

Whereas the act of March 10, 1934, as amended by the act of August 14, 1946, 48 Stat. 401, 60 Stat. 1080 (16 U. S. C. 661–666c) authorizes the Secretary of the Interior to cooperate with Federal, State, and other agencies in developing a nation-wide program of wildlife conservation and rehabilitation; and

Whereas certain public land of the United States situated in Utah County Utah, possesses wildlife value and could be administered advantageously as a wildlife management area; and

Whereas the State of Utah desires to so administer the land, through its Fish and Game Commission:

Now, therefore, by virtue of the authority vested in the President and pursuant to Executive Order No. 10355 of May 26, 1952 (17 F. R. 4831) it is ordered as follows:

Subject to valid existing rights, the following-described public land in Utah County, Utah, is hereby withdrawn from all forms of appropriation under the public-land laws, including the mining laws but not the mineral-leasing laws, and reserved under the jurisdiction of the Department of the Interior for use by the Fish and Game Commission of the State of Utah as the Rock Island Management Area, under such conditions as may be prescribed by the Secretary of the Interior:

SALT LAKE MERIDIAN

T. 7 S., R. 1 E.,
Sec. 26, lot 1 (known as Rock Island).

The area described contains 1.74 acres.

This order shall take precedence over but shall not otherwise affect departmental order of April 6, 1889 as modified October 20, 1905, establishing the Utah Lake Reservoir Site, and departmental order of April 8, 1935, establishing Utah Grazing District No. 5, so far as either order affects the above-described land.

DOUGLAS MCKAY,
Secretary of the Interior

APRIL 4, 1953.

[F. R. Doc. 53-3069; Filed, Apr. 9, 1953; 8:46 a. m.]

TITLE 45—PUBLIC WELFARE

Chapter I—Office of Education, Federal Security Agency

PART 105—FINANCIAL ASSISTANCE FOR CURRENT EXPENDITURES FOR PUBLIC SCHOOLS IN AREAS AFFECTED BY FEDERAL ACTIVITIES

DEADLINES FOR APPLICATIONS FOR PAYMENTS FROM APPROPRIATED FUNDS

Part 105, 16 F R. 5901, amended in 17 F R. 347, 1943, and 7857 is further amended as follows:

§ 105.9 *Deadline for applications for payments from funds appropriated for the fiscal year 1953 and thereafter* March 31 of each fiscal year is hereby fixed as the date on or before which all applications for payments out of funds appropriated for such fiscal year shall be received by the Commissioner: *Provided,* That if the act is amended after January 1 in a fiscal year such filing date shall be May 15 in such fiscal year for applicants seeking payments under such amendment: *And provided further,* That an application timely filed may be amended during the fiscal year for which filed to obtain additional or alternative payments under a determination of the Commissioner made after January 1 in such fiscal year that property is or is not "Federal property" under the act.

§ 105.10 *Applications received after deadline not considered for payment.* Applications for fiscal year 1953 and thereafter received by the Commissioner after the filing dates prescribed by § 105.9 will not be considered for payment.

(Sec. 7, 64 Stat. 1107. Interpret or apply sec. 5, 64 Stat. 1106)

Dated: April 1, 1953.

[SEAL] EARL J. MCGRATH,
United States Commissioner of Education.

Approved: April 6, 1953.

OVETA CULP HOBBY,
Federal Security Administrator

[F. R. Doc. 53-3096; Filed, Apr. 9, 1953; 8:52 a. m.]

TITLE 50—WILDLIFE

Chapter I—Fish and Wildlife Service, Department of the Interior

PART 17—LIST OF AREAS

WILDLIFE MANAGEMENT AREAS

EDITORIAL NOTE: For an addition to the tabulation in § 17.5, see Public Land Order 889 in the Appendix to Title 43, Chapter I, *supra*, reserving certain public land in Utah as Rock Island Wildlife Management Area.

PROPOSED RULE MAKING

DEPARTMENT OF AGRICULTURE

Production and Marketing Administration

[7 CFR Part 982]

[Docket No. AO 238—A1]

HANDLING OF MILK IN CENTRAL WEST TEXAS MARKETING AREA

DECISION WITH RESPECT TO PROPOSED MARKETING AGREEMENT AND PROPOSED AMENDMENT TO ORDER

Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.) and the applicable rules of practice and procedure, as amended, governing proceedings to formulate marketing agreements and marketing orders (7 CFR Part 900) a public hearing was conducted at Abilene, Texas, on March 13, 1953, pursuant to notice thereof which was issued March 5, 1953 (18 F. R. 1334)

The material issues of record related to proposals with respect to the pricing of Class II milk, and certain location differentials to handlers on Class I milk, and to the necessity for action with respect to the pricing of Class II milk which would require the omission of a recommended decision.

Findings and conclusions. The following findings and conclusions with respect to the issues concerned with the pricing of Class II milk and the necessity for immediate action thereon are based upon the evidence introduced at the hearing and the record thereof. Findings and conclusions with respect to the proposals for change in location differentials are reserved for further consideration and to permit the issuance of a recommended decision and opportunity for interested parties to file exceptions thereto.

1. Emergency marketing conditions for milk used for manufacturing in the Central West Texas area make it necessary to alter the pricing provisions of the order for a temporary period extending through July 1953.

The order for the Central West Texas marketing area became effective December 1952. The price for Class II milk (that used for manufacturing purposes) is determined from market prices of butter and non-fat dry milk solids.

Handlers in the Central West Texas area have few facilities in their plants for conversion of milk into manufactured dairy products other than ice cream, and cottage cheese. The only other plants accessible for the handling of milk are cheese factories. Accordingly nearly all milk which handlers cannot use in their area plants is made into cheddar cheese.

While through February producer milk supplies of the market did not exceed the fluid needs of the market some handlers have notified a cooperative association that the association must handle milk of some producers and the association has not succeeded in having this milk received by other handlers whose present receipts of producer milk are less than their Class I sales. The association has been required to divert such milk to a cheese factory and has not been able to realize the Class II price of the order for such disposition. Other handlers have continued to receive all milk from the producers supplying them but have transferred some of this milk to cheese factories and likewise have not realized their costs.

It is evident that the production of the producers now kept in the pool by the associations actively engaged in diverting their milk will be needed for Class I use as soon as the spring season of flush production is past or as soon as the market has opportunity to develop better methods of shifting milk to the plants needing it for Class I use.

It appears that unless provision is made that handlers and the cooperative association can account to the pool for milk used for the manufacture of cheddar cheese at approximately the price they realize for such milk that it will be difficult to have this milk continued in the pool so that it will be available this fall. This can be accomplished by establishing a price for milk used in the manufacture of cheese at the average paying prices of three cheese factories to which such milk will be moved, one at Ballinger, Texas, one at Stephenville, Texas, and one at Muenster, Texas.

It was proposed the price be established at 10 cents below the average paying price of the cheese factories because of costs involved in transferring or diverting such milk and in payment of administrative assessments of the order. It is not believed necessary that this be provided to insure that the milk will be handled. There is no evidence that provision will be needed beyond July 1953 for the movement of milk to cheese factories. Accordingly it is concluded that the average paying prices of these three plants should apply to producer milk classified as Class II milk and used for the manufacture of cheddar cheese from the effective date of an amending order through July 1953.

2. The due and timely execution of the function of the Secretary under the act imperatively and unavoidably requires the omission of a recommended decision by the Assistant Administrator, Production and Marketing Administration, and the opportunity for exception thereto, on the above issues.

The conditions complained of are such that it is urgent that remedial action be taken as soon as possible. Delay beyond the minimum time required to make the attached order effective would defeat the purpose of such amendment. Accordingly, the time necessarily involved in the preparation, filing, and publication of a recommended decision, and exceptions thereto, would make such relief ineffective. The propriety of omitting the recommended decision and opportunity for filing exceptions thereto with respect to all proposals considered was indicated on the record by interested parties, who likewise waived the opportunity to file briefs on the record of the hearing.

General findings. (a) The proposed marketing agreement and the order as hereby proposed to be amended, and all of the terms and conditions thereof, will tend to effectuate the declared policy of the act;

(b) The parity prices of milk as determined pursuant to section 2 of the act are not reasonable in view of the price of feeds, available supplies of feeds, and other economic conditions which affect market supply of and demand for milk in the marketing area, and the minimum prices specified in the proposed marketing agreement and in the order, as hereby proposed to be amended, are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk, and be in the public interest; and

(c) The proposed marketing agreement and the order, as hereby proposed to be amended, will regulate the handling of milk in the same manner as, and will be applicable only to persons in the respective classes of industrial and commercial activity, specified in a marketing agreement upon which a hearing has been held.

Determination of representative period. The month of February 1953 is hereby determined to be the representative period for the purpose of ascertaining whether the issuance of an order amending the order regulating the handling of milk in the Central West Texas marketing area in the manner set forth in the attached amending order is approved or favored by producers who during such period were engaged in the production of milk for sale in the marketing area specified in such order.

Marketing agreement and order. Annexed hereto and made a part hereof

are two documents entitled "Marketing Agreement Regulating the Handling of Milk in the Central West Texas Marketing Area," and "Order Amending the Order Regulating the Handling of Milk in the Central West Texas Marketing Area," which have been decided upon as the detailed and appropriate means of effectuating the foregoing conclusions. These documents shall not become effective unless and until the requirements of § 900.14 of the rules of practice and procedure, as amended, governing proceedings to formulate marketing agreements and orders have been met.

It is hereby ordered, that all of this decision, except the attached marketing agreement, be published in the FEDERAL REGISTER. The regulatory provisions of said marketing agreement are identical with those contained in the order as hereby proposed to be amended by the attached order which will be published with this decision.

This decision filed at Washington, D. C., this 7th day of April 1953.

[SEAL] TRUE D. MORSE,
Acting Secretary of Agriculture.

Order[1] *Amending the Order Regulating the Handling of Milk in the Central West Texas Marketing Area*

§ 982.0 *Findings and determinations.* The findings and determinations hereinafter set forth are supplementary and in addition to the findings and determinations previously made in connection with the issuance of the aforesaid order and all of said previous findings and determinations are hereby ratified and affirmed, except insofar as such findings and determinations may be in conflict with the findings and determinations set forth herein.

(a) *Findings upon the basis of the hearing record.* Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.) and the applicable rules of practice and procedure, as amended, governing the formulation of marketing agreements and marketing orders (7 CFR Part 900) a public hearing was held upon certain proposed amendments to the tentative marketing agreement and to the order regulating the handling of milk in the Central West Texas marketing area. Upon the basis of the evidence introduced at such hearing and the record thereof, it is found that:

(1) The said order, as hereby amended, and all of the terms and conditions thereof, will tend to effectuate the declared policy of the act;

(2) The parity prices of milk as determined pursuant to section 2 of the act are not reasonable in view of the price of feeds, available supplies of feeds, and other economic conditions which affect market supply of and demand for milk in the marketing area, and the minimum prices specified in the order as hereby amended, are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk, and be in the public interest; and

(3) The said order as hereby amended, regulates the handling of milk in the same manner as, and is applicable only to persons in the respective classes of industrial and commercial activity, specified in a marketing agreement upon which a hearing has been held.

Order relative to handling. It is therefore ordered that on and after the effective date hereof the handling of milk in the Central West Texas marketing area shall be in conformity to and in compliance with the terms and conditions of the aforesaid order as hereby amended, and the aforesaid order is hereby amended as follows:

1. Amend § 982.51 by inserting the following proviso following the colon preceding paragraph (a) of such section: "*Provided,* That from the effective date hereof through July 1953, the minimum price per hundredweight for such milk used in the production of cheddar cheese shall be the average of the prices paid or to be paid for ungraded milk of 4.0 percent butterfat content received from farmers at the Dairy Gold Creamery, Ballinger, Texas, Triangle Cheese Company, Stephenville, Texas, and the Farmers Marketing Association, Inc., Muenster, Texas."

[F. R. Doc. 53-3079; Filed, Apr. 9, 1953; 8:49 a. m.]

[1] This order shall not become effective unless and until the requirements of § 900.14 of the rules of practice and procedure, as amended, governing proceedings to formulate marketing agreements and orders have been met.

NOTICES

DEPARTMENT OF COMMERCE

National Production Authority

[Suspension Order 58; Docket No. 67]

INDUSTRIAL STEEL CORP. ET AL.

SUSPENSION ORDER

A hearing having been held in the above-entitled matter on the 24th day of March 1953 before Philip E. Hoffman, a hearing commissioner of the National Production Authority, on a statement of charges by the General Counsel of the National Production Authority, in accordance with its General Administrative Order No. 16-06 (16 F. R. 8628) and Rules of Practice 1, revised March 17, 1953 (18 F R. 1562) and

The respondents, Industrial Steel Corporation, Eastern Metals Corporation, Abraham H. Heinowitz, Harold Heinowitz, and Joseph Heinowitz having been duly apprised of the specific violations, charges, and the administrative action which may be taken, and having been fully informed of the rules and procedures governing these proceedings, and appearing by their attorneys, Rosoff and Rosoff, 29 Broadway, New York City, Morris Rosoff, of counsel; and

The National Production Authority appearing by Herbert L. Saunders, attorney, and testimony having been taken on behalf of the National Production Authority and aforesaid counsel for the respondents having appeared on their behalf at the said hearing, and all respondents admitting the allegations in charges 1, 2, 3, and 4, and the respondents, Industrial Steel Corporation, Eastern Metals Corporation, and Harold Heinowitz admitting the allegations of charge 5, and the hearing commissioner being apprised in the premises, it is hereby determined:

Findings of fact. 1. On or about July 10, 1952, Industrial Steel Corporation, a New Jersey corporation doing business as a steel distributor, delivered to Martin Enterprises, a firm located in the City and State of New York, 40,494 pounds of nickel-bearing stainless steel sheets pursuant to an order other than an authorized controlled material order.

2. On or about August 4, 1952, August 5, 1952, and August 6, 1952, respectively, Eastern Metals Corporation, a New Jersey corporation doing business as a steel distributor, delivered to Martin Enterprises, a firm located in the City and State of New York; 6,400 pounds, 2,004, pounds, and 14,051 pounds of nickel-bearing stainless steel sheets pursuant to an order other than an authorized controlled material order.

3. Harold Heinowitz, as secretary of Industrial Steel Corporation and vice-president of Eastern Metals Corporation, negotiated the sale of nickel-bearing stainless steel sheets to Martin Enterprises resulting in the deliveries referred to in paragraphs 1 and 2 hereinabove.

Conclusion. The facts found hereinabove constitute the disposition by respondents, Industrial Steel Corporation, Eastern Metals Corporation, and Harold Heinowitz, of a total of 62,949 pounds nickel-bearing stainless steel sheets in a manner not permitted by National Production Authority Order M-6A, Schedule 3 of April 23, 1952, section 3 (a) thereof (17 F. R. 3649)

Inasmuch as no evidence was introduced implicating respondents Abraham H. Heinowitz and Joseph Heinowitz, charge 5 should be dismissed as to them.

It is accordingly ordered.

1. That all priority assistance for the purchase of nickel-bearing stainless steel controlled materials, including authorization to place rated and authorized controlled material orders, be and hereby are withdrawn and withheld from Industrial Steel Corporation, Eastern Metals Corporation, and Harold Heinowitz during the effective period of this suspension order, without prejudice, however, to the acquisition of such nickel-bearing

stainless steel controlled materials pursuant to the provisions of sections 5 (a) and 6 of Direction 20 to CMP Regulation No. 1, dated February 16, 1953.

2. That Industrial Steel Corporation, Eastern Metals Corporation, and Harold Heinowitz be and hereby are prohibited from selling, transferring, or delivering to any person during the effective period of this suspension order, nickel-bearing stainless steel controlled materials now owned, possessed, or hereafter purchased or received by said Industrial Steel Corporation, Eastern Metals Corporation, and Harold Heinowitz in their or his capacity as steel distributors, except that the provisions of this paragraph shall not be deemed to limit or prohibit such sale, transfer, or delivery of any nickel-bearing stainless steel controlled materials pursuant to a defense or Atomic Energy Commission order, or the provisions of section 5 (b) of Direction 20 to CMP Regulation No. 1, dated February 16, 1953.

3. The charges against Abraham H. Heinowitz and Joseph Heinowitz are dismissed.

4. The effective period of this suspension order shall commence with the issuance of said suspension order and terminate on April 30, 1953.

Issued this 24th day of March 1953.

NATIONAL PRODUCTION AUTHORITY,
By PHILIP E. HOFFMAN,
Hearing Commissioner

[F. R. Doc. 53-3179; Filed, Apr. 9, 1953; 11:23 a. m.]

DEFENSE MATERIALS PROCUREMENT AGENCY

[Delegation No. 24]

ADMINISTRATOR OF GENERAL SERVICES

DELEGATION OF AUTHORITY TO PURCHASE AND MAKE COMMITMENTS TO PURCHASE AND TO SELL ALUMINUM

1. There is hereby delegated to the Administrator of General Services the authority vested in me pursuant to section 303 of the Defense Production Act of 1950, as amended (Pub. Law 774, 81st Cong., and Pub. Laws 69, 96 and 429, 82d Cong.) and Executive Order 10161 of September 9 1950 (15 F. R. 6105) as amended and supplemented, with respect to:

(a) Purchases and commitments to purchase aluminum for Government use or resale,

(b) Sale of the aluminum purchased pursuant to (a) above, and

(c) Administration of all functions relating to (a) and (b) above.

2. The authority delegated hereby shall be carried out in accordance with programs certified under section 307 of said Executive Order 10161, as amended, and any other applicable laws, regulations and executive orders.

3. The authority herein delegated shall be exercised in accordance with the provisions of section 303 of the Defense Production Act of 1950, as amended, and in accordance with such policies as may be established by the Defense Materials Procurement Administrator.

4. This delegation confirms with respect to aluminum the authority delegated by the Defense Materials Procurement Administrator to the Administrator of General Services pursuant to Delegation of Authority dated September 14, 1951 (16 F. R. 9446)

5. The functions herein delegated may be redelegated with or without authority for further redelegation and redelegations in effect on the date hereof shall continue in effect until rescinded or modified by appropriate authority.

This delegation shall take effect as of the date hereof.

Dated: April 7, 1953.

RUSSELL FORBES,
Acting Defense Materials Procurement Administrator

[F. R. Doc. 53-3152; Filed, Apr. 8, 1953; 4:41 p. m.]

DEPARTMENT OF THE TREASURY

Bureau of Customs

[464.151]

ONION POWDER

TARIFF CLASSIFICATION

APRIL 6, 1953.

The Bureau, by its letter to the acting collector of customs, New York, New York, dated April 6, 1953, ruled that onion powder is classifiable under paragraph 775, Tariff Act of 1930, dutiable at the rate of 35 percent ad valorem rather than under paragraph 781 as a spice dutiable at the rate of 25 percent ad valorem.

As this ruling will result in the assessment of duty at a higher rate than has been heretofore assessed under an established and uniform practice, it will be applied to such or similar merchandise only when entered, or withdrawn from warehouse, for consumption after 90 days from the date of publication of an abstract of this decision in a forthcoming issue of the weekly Treasury Decisions.

[SEAL] D. B. STRUBINGER,
Acting Commissioner of Customs.

[F. R. Doc. 53-3098; Filed, Apr. 9, 1953; 8:52 a. m.]

DEPARTMENT OF THE INTERIOR

Office of the Secretary

UTAH

NOTICE FOR FILING OBJECTIONS TO ORDER RESERVING CERTAIN PUBLIC LAND AS ROCK ISLAND WILDLIFE MANAGEMENT AREA[1]

For a period of 30 days from the date of publication of the above entitled order, persons having cause to object to the terms thereof may present their objections to the Secretary of the Interior. Such objections should be in writing, should be addressed to the Secretary of the Interior, and should be filed in duplicate in the Department of the Interior, Washington 25, D. C. In case any objection is filed and the nature of the opposition is such as to warrant it, a public hearing will be held at a convenient time and place, which will be announced, where opponents to the order may state their views and where the proponents of the order can explain its purpose, intent, and extent. Should any objection be filed, whether or not a hearing is held, notice of the determination by the Secretary as to whether the order should be rescinded, modified or let stand will be given to all interested parties of record and the general public.

DOUGLAS MCKAY,
Secretary of the Interior.

APRIL 4, 1953.

[F. R. Doc. 53-3063; Filed, Apr. 9, 1953; 8:46 a. m.]

[1] See Title 43, chapter I, appendix, PLD 889, *supra.*

FEDERAL POWER COMMISSION

[Docket No. E-6480]

ARKANSAS-MISSOURI POWER CO.

NOTICE OF ORDER AUTHORIZING AND APPROVING ACQUISITION AND MERGER OR CONSOLIDATION

APRIL 6, 1953.

Notice is hereby given that on April 3, 1953, the Federal Power Commission issued its order entered April 2, 1953, in the above-entitled matter, authorizing and approving acquisition and merger or consolidation of the facilities of Missouri Utilities Company, located in the State of Arkansas.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 53-3030; filed, Apr. 9, 1953; 8:50 a. m.]

[Docket No. E-6481]

GULF STATES UTILITIES CO.

NOTICE OF ORDER AUTHORIZING ISSUANCE OF SECURITIES

APRIL 6, 1953.

Notice is hereby given that on April 3, 1953, the Federal Power Commission issued its order entered April 2, 1953 authorizing issuance of securities in the above-entitled matter.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 53-3031; Filed, Apr. 9, 1953; 8:50 a. m.]

HOUSING AND HOME FINANCE AGENCY

Office of the Administrator

PINAL COUNTY, ARIZ., CRITICAL DEFENSE HOUSING AREA

NOTICE OF DEFENSE HOUSING PROGRAM

Statement. This notice is issued pursuant to the provisions of Title I of the Defense Housing and Community Facilities and Services Act of 1951 (Pub. Law 139, 82d Congress). Section 102 (a) of

that act requires the Housing and Home Finance Administrator to announce and publish in the FEDERAL REGISTER certain information with respect to the number of permanent dwelling units needed for defense workers and military personnel (including information as to type, rentals and general locations) in a critical defense housing area, in order to assure that private enterprise shall be afforded full opportunity to provide the defense housing needed wherever possible in any area designated by the President as a critical defense housing area. The Director of Defense Mobilization under Executive Order 10296 dated October 2, 1951 (16 F. R. 10103) is authorized to determine that certain areas that meet the criteria contained in section 101 of the Defense Housing and Community Facilities and Services Act of 1951 are critical defense housing areas. Acting under such authority, the Acting Director of Defense Mobilization determined on March 18, 1953 (18 F R. 1607—March 20, 1953) that the following area, designated as the Southeast Pinal County, Arizona, Area, is a critical defense housing area.

That portion of Pinal County bounded on the North by a line between Sections 30 and 31 of Township 8 South, Range 16 East; on the West by a line between Ranges 15 and 16 East; on the South by the Pima-Pinal County line; and on the East by the Graham-Pinal County line; all based on the Gila and Salt River baseline and meridian of the State of Arizona.

Upon a review and analysis of all of the circumstances, it appears that the primary defense activity is the mining operation of the San Manuel Copper Corporation; that the site of the operations of such company and of the designated critical defense housing area is in an isolated area remote from any large communities having adequate basic utilities and community sevices; that in the formulation of a program to serve the needs of in-migrant defense workers the provision of utilities and necessary community facilities by private enterprise is essential and necessary to the effectiveness of the proposed housing program; that the needs of both the defense workers and the defense activity would best be met by the construction of the proposed housing within the immediate area of the mine; that the defense activity holds title to the land sites adjoining the defense plant, and for the purposes of assisting the construction of the proposed defense housing it will make available such land sites to the successful applicant for construction of the proposed defense housing; and that it will be necessary for the successful operation of the program that applicants prepare and submit a plan for a townsite.

The aids authorized by the Defense Housing and Community Facilities and Services Act of 1951 will be available to the approved applicant. These aids include the more liberal form of Federal Housing Administration mortgage insurance under Title IX of the National Housing Act, as amended, and the special benefits provided in Title III of that act in connection with commitments by the Federal National Mortgage Association for the purchase of mortgages covering defense housing programmed by the Housing and Home Finance Administrator. To be eligible for these special aids all applicable requirements, conditions and restrictions imposed by or pursuant to such Title III or Title IX of the National Housing Act, as amended, must be complied with. Information concerning such requirements, conditions and restrictions may be obtained from the local FHA and FNMA offices.

PROGRAM AND CONDITIONS

PROGRAM

NEED FOR DEFENSE RENTAL HOUSING

Unit size	Number of units	Rental not to exceed [1]
1 bedroom	30	$50.00
2 bedroom	250	60.00
2 bedroom	150	70.00
3 or more bedrooms	250	70.00
3 or more bedrooms [2]	300	80.00
3 or more bedrooms	20	110.00
Total	1,000	

[1] Specifies shelter rents. Extra charges for utilities and services may be approved in amounts consistent with normal charges in general area for such services.

[2] Thirty of these units must have not less than 4 bedrooms.

LIST OF DEFENSE ACTIVITIES

San Manuel Copper Corporation. Employees of public or private organizations engaged in the construction, maintenance, or essential services for the San Manuel Copper Corporation, or its employees in the area.

Conditions. Builders will submit proposals upon announcement of the program to the local FHA office at 140 South Central Avenue, Phoenix, Arizona. (The Federal Housing Administration, a constituent agency of the Housing and Home Finance Agency will receive and process such proposals on behalf of the Housing and Home Finance Administrator.) After a review of all the proposals submitted, the builder whose proposal best meets the needs for rental housing to eligible defense workers, in accordance with criteria and conditions set out below, will be notified in writing of the approval of his proposal. The approval of the proposal as above set forth is required, with respect to this program, as a condition to the approval by the Federal Housing Administration of an application for mortgage insurance under the provisions of Title IX (National Defense Housing Insurance) of the National Housing Act, as amended.

Simultaneously with the announcement of this program there will be available at the offices of the San Manuel Copper Corporation at Superior, Arizona, for inspection by interested builders a description of the land available for the townsite and the terms and conditions upon which the San Manuel Copper Corporation will make such land available, together with a copy of the proposed form of Agreement which the San Manuel Copper Corporation would expect the builder to execute.

In considering proposals the following criteria will be taken into consideration:

(1) The rents to be charged.

(2) The size of the units in terms of number of rooms and bedrooms.

(3) The relationship between the accommodations proposed and the proposed rents.

(4) The capacity of the applicant to complete the proposed transaction. Although not required as part of the initial proposal from builders, it is to be understood that as a condition to an application for mortgage insurance by the FHA, builders will be required to submit a proposed townsite plan including a plat of the residential area with assurances that satisfactory arrangements will be made for the development and completion of a new townsite with all of the necessary community facilities and utilities. Detailed information as to the extent of the townsite plan and the community facilities and utilities which builders will be required to furnish will be available at the FHA office at Phoenix, Arizona.

For the purposes of this program, the form of proposal will be deemed sufficient if an original and three copies are filed in the local FHA office at Phoenix, Arizona, which sets forth the following information:

1. The name and address of the proponent.

2. A description of the property upon which the proposed defense housing is to be located.

3. The following information pertaining to proposed dwelling units may be listed as follows:

(a) Schedule identifying each type living unit proposed and the number of each type of living unit to be constructed. (May be single-family, multi-unit or duplexes)

(b) Rental schedule showing the shelter rents for each type living unit to be charged, and the additional charges, if any, for garages, utilities and services. The schedule should also describe the equipment and services to be included in the rent;

(c) Drawings for each type of proposed residential structure, showing floor plans and exterior elevations;

(d) Description of materials and equipment to be included in each type of housing unit which may be submitted on FHA Form 2005;

(e) Typical lot size for each type of residential structure;

(f) Description of type of off-site improvements to be constructed within the residential area, including streets, water supply sewerage system, etc., which may be shown on FHA Form 2084.

4. Statement pertaining to the applicant's experience in construction, financing and management of large-scale housing projects, including a list of projects built by the proponent, with supporting letters from disinterested parties.

5. Evidence of the applicant's financial capacity to complete the proposed housing project, including a recent financial statement of the applicant.

6. Availability of financing, including the names of proposed lenders who have given assurance that they will make financing available for construction of the proposed residential property.

7. An agreement to file applications for the Title IX insured mortgage loans through an approved mortgagee without

delay after the date of receiving notice that the proposal is acceptable, it being understood that the authority to issue commitments under Title IX will expire on June 30, 1953, unless extended by Congress.

8. A statement indicating that the applicant is familiar with the provisions in FHA Form 3351, "Supplement to Mortgagee's Application for Insurance under Section 903 or Section 908 of Title IX of the additional Housing Act", and that the restrictions contained therein will be binding upon him upon the issuance by the FHA of its commitment to insure the proposed mortgages covered in his application.

ALBERT M. COLE,
Housing and Home Finance Administrator

APRIL 7, 1953.

[F. R. Doc. 53-3137; Filed, Apr. 9, 1953; 8:58 a. m.]

INTERSTATE COMMERCE COMMISSION

[4th Sec. Application 27965]

PIPE, STEEL OR WROUGHT IRON FROM HOUSTON, TEX., GROUP TO NORTH DAKOTA, AND MINNESOTA

APPLICATION FOR RELIEF

APRIL 7, 1953.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by F. C. Kratzmeir, Agent, for carriers parties to schedule listed below.

Commodities involved: Pipe, steel or wrought iron, welded or seamless, carloads.

From: Houston, Galveston and Orange, Texas.

To: Noyes, Minn., Neche, Northgate, Pembina and Portal, N. Dak.

Grounds for relief: Competition with rail carriers, circuitous routes.

Schedules filed containing proposed rates: F. C. Kratzmeir, Agent, ICC No. 3967, supl. 218.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission.

[SEAL] GEORGE W. LAIRD,
Acting Secretary.

[F. R. Doc. 53-3085; Filed, Apr. 9, 1953; 8:50 a. m.]

[4th Sec. Application 27969]

COTTON FROM NORTH CAROLINA AND VIRGINIA TO OFFICIAL TERRITORY AND CANADA

APPLICATION FOR RELIEF

APRIL 7, 1953.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by R. E. Boyle, Jr., Agent, for carriers parties to schedule listed below.

Commodities involved: Cotton, in bales, compressed, carloads.

From: Draper, Leaksville and Spray, N. C., Fieldale and Martinsville, Va.

To: Eastern, New England and Canadian points.

Grounds for relief: Competiton with rail carriers, circuitous routes, to maintain grouping.

Schedules filed containing proposed rates: C. A. Spaninger, Agent, ICC No. 966, supl. 61.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission.

[SEAL] GEORGE W. LAIRD,
Acting Secretary.

[F. R. Doc. 53-3086; Filed, Apr. 9, 1953; 8:50 a. m.]

[4th Sec. Application 27967]

BEVERAGE PREPARATIONS, DRY, FROM CHICAGO, ILL., TO THE SOUTHWEST

APPLICATION FOR RELIEF

APRIL 7, 1953.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by F C. Kratzmeir, Agent, for carriers parties to schedule listed below.

Commodities involved: Beverage preparations, N. O. I. B. N., dry, carloads.

From: Chicago, Ill.

To: Specified points in Arkansas, Oklahoma, Louisiana, and Texas.

Grounds for relief: Competition with rail carriers, circuitous routes, competition with motor carriers, to apply rates constructed on the basis of the short line distance formula.

Schedules filed containing proposed rates: F. C. Kratzmeir, Agent, ICC No. 3912, supl. 133; F. C. Kratzmeir, Agent, ICC No. 3899, supl. 135; F. C. Kratzmeir, Agent, ICC No. 3919, supl. 159; F C. Kratzmeir, Agent, ICC No. 3927, supl. 73; F. C. Kratzmeir, Agent, ICC No. 4049, supl. 8.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission.

[SEAL] GEORGE W. LAIRD,
Acting Secretary.

[F. R. Doc. 53-3087; Filed, Apr. 9, 1953; 8:50 a. m.]

[4th Sec. Application 27968]

FURNITURE FROM WACO, TEX., TO COLORADO AND CHEYENNE, WYO.

APPLICATION FOR RELIEF

APRIL 7, 1953.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by F C. Kratzmeir, Agent, for carriers parties to schedule listed below.

Commodities involved: Furniture and furniture parts, carloads.

From: Waco, Texas.

To: Colorado Springs, Denver, Greeley, Pueblo and Trinidad, Colo., and Cheyenne, Wyo.

Grounds for relief: Competition with rail carriers, circuitous routes, to apply rates constructed on the basis of the short line distance formula.

Schedules filed containing proposed rates: F. C. Kratzmeir, Agent, I. C. C. No. 3886, supl. 80.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before

the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission.

[SEAL] GEORGE W LAIRD, *Acting Secretary.*

[F. R. Doc. 53-3088; Filed, Apr. 9, 1953; 8:51 a. m.]

[4th Sec. Application 27969]

CRUDE PUMICE FROM ANTONITO AND MESITA COLO., TO SOUTHWESTERN TERRITORY

APPLICATION FOR RELIEF

APRIL 7, 1953.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by F C. Kratzmeir, Agent, for carriers parties to schedule listed below.

Commodities involved: Pumice, crude or crushed, not ground, carloads.

From. Antonito and Mesita, Colo.

To: Points in southwestern territory.

Grounds for relief: Competition with rail carriers, circuitous routes, to apply rates constructed on the basis of the short line distance formula.

Schedules filed containing proposed rates: F C. Kratzmeir, Agent, ICC No. 4046, supl. 8.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission.

[SEAL] GEORGE W LAIRD, *Acting Secretary.*

[F. R. Doc. 53-3089; Filed, Apr. 9, 1953; 8:51 a. m.]

[4th Sec. Application 27970]

MINIMUM RATES AND CHARGES BETWEEN OFFICIAL AND SOUTHERN TERRITORIES

APPLICATION FOR RELIEF

APRIL 7, 1953.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by C. W Boin, Agent, for carriers parties to fourth section application No. 22835.

Involving: Minimum charges based on docket 28300 class rates between official territory and border points to apply in connection with overhead column rates based on docket 13494 rates, etc., between southern and official territories.

Grounds for relief: Competition with rail carriers, circuitous routes, to maintain grouping.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission.

[SEAL] GEORGE W LAIRD, *Acting Secretary.*

[F. R. Doc. 53-3090; Filed, Apr. 9, 1953; 8:51 a. m.]

[Rev. S. O. 562, Taylor's I. C. C. Order 13-A]

UNION RAILROAD CO.

REROUTING AND DIVERSION OF TRAFFIC

Upon further consideration of Taylor's I. C. C. Order No. 13, and good cause appearing therefor: *It is ordered,* That:

(a) Taylor's I. C. C. Order No. 13 be, and it is hereby vacated and set aside.

(b) Effective date: This order shall become effective at 11:59 p. m., April 6, 1953.

It is further ordered, That this order shall be served upon the Association of American Railroads, Car Service Division, as agent of all railroads subscribing to the car service and per diem agreement under the terms of that agreement and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., April 6, 1953.

INTERSTATE COMMERCE COMMISSION, CHARLES W TAYLOR, *Agent.*

[F. R. Doc. 53-3091; Filed, Apr. 9, 1953; 8:51 a. m.]

OFFICE OF DEFENSE MOBILIZATION

[Defense Manpower Policy No. 4, Notification 19, Revocation]

PLACEMENT OF PROCUREMENT IN NEW BEDFORD, MASS., AREA

NOTIFICATION TO DEPARTMENT OF DEFENSE AND GENERAL SERVICES ADMINISTRATION

The Department of Labor has notified the Surplus Manpower Committee that New Bedford, Massachusetts, is no longer classified as a Group IV surplus labor area, and is now a Group III area. Therefore, in accordance with the standards established by the Secretary of Labor under section III, paragraph 2 of Defense Manpower Policy No. 4, the certification of this area has been withdrawn.

The Department of Defense and the General Services Administration are hereby notified that preference in the placement of Government contracts, in accordance with Defense Manpower Policy No. 4, should no longer be given to the above named area. Effective immediately Notification 19 is revoked.

OFFICE OF DEFENSE MOBILIZATION, ARTHUR S. FLEMMING, *Acting Director*

[F. R. Doc. 53-3144; Filed, Apr. 8, 1953; 2:46 p. m.]

[Defense Manpower Policy No. 4, Notification 30, Revocation]

PLACEMENT OF PROCUREMENT IN TAUNTON, MASSACHUSETTS, AREA

NOTIFICATION TO DEPARTMENT OF DEFENSE AND GENERAL SERVICES ADMINISTRATION

The Department of Labor has notified the Surplus Manpower Committee that Taunton, Massachusetts, is no longer classified as a Group IV surplus labor area, and is now an unclassified area. Therefore, in accordance with the standards established by the Secretary of Labor under Section III, paragraph 2 of Defense Manpower Policy No. 4, the certification of this area has been withdrawn.

The Department of Defense and the General Services Administration are hereby notified that preference in the placement of Government contracts, in accordance with Defense Manpower Policy No. 4, should no longer be given to the above named area. Effective immediately Notification 30 is revoked.

OFFICE OF DEFENSE MOBILIZATION, ARTHUR S. FLEMMING, *Acting Director*

[F. R. Doc. 53-3145; Filed, Apr. 8, 1953; 2:46 p. m.]

[Defense Manpower Policy No. 4, Notification 35, Revocation]

PLACEMENT OF PROCUREMENT IN DANVILLE, ILLINOIS, AREA

NOTIFICATION TO DEPARTMENT OF DEFENSE AND GENERAL SERVICES ADMINISTRATION

The Department of Labor has notified the Surplus Manpower Committee that Danville, Illinois, is no longer classified as a Group IV surplus labor area, and is now an unclassified area. Therefore, in accordance with the standards established by the Secretary of Labor under section III, pargaraph 2 of Defense Manpower Policy No. 4, the certification of this area has been withdrawn.

The Department of Defense and the General Services Administration are hereby notified that preference in the

placement of Government contracts, in accordance with Defense Manpower Policy No. 4, should no longer be given to the above named area. Effective immediately Notification 35 is revoked.

OFFICE OF DEFENSE MOBILIZATION,
ARTHUR S. FLEMMING,
Acting Director.

APRIL 8, 1953.

[F. R. Doc. 53-3146; Filed, Apr. 8, 1953; 2:46 p. m.]

[Defense Manpower Policy No. 4, Notification 56, Revocation]

PLACEMENT OF PROCUREMENT IN MILFORD, MASSACHUSETTS, AREA

NOTIFICATION TO DEPARTMENT OF DEFENSE AND GENERAL SERVICES ADMINISTRATION

The Department of Labor has notified the Surplus Manpower Committee that Milford, Massachusetts, is no longer classified as a Group IV surplus labor area, and is now an unclassified area. Therefore, in accordance with the standards established by the Secretary of Labor under section III, paragraph 2 of Defense Manpower Policy No. 4, the certification of this area has been withdrawn.

The Department of Defense and the General Services Administration are hereby notified that preference in the placement of Government contracts, in accordance with the Defense Manpower Policy No. 4, should no longer be given to the above named area. Effective immediately Notification 56 is revoked.

OFFICE OF DEFENSE MOBILIZATION,
ARTHUR S. FLEMMING,
Acting Director

[F. R. Doc. 53-3147; Filed, Apr. 8, 1953; 2:46 p. m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 1-2226]

SWIFT INTERNATIONAL CO., LTD.

NOTICE OF APPLICATION TO STRIKE FROM LISTING AND REGISTRATION, AND OF OPPORTUNITY FOR HEARING

APRIL 3, 1953.

The Midwest Stock Exchange, pursuant to section 12 (d) of the Securities Exchange Act of 1934 and Rule X-12D2-1 (b) promulgated thereunder, has made application to strike from listing and registration the American Deposit Receipts Representing Fifteen Argentine Gold Dollars Par Capital Shares, of Swift International Company, Ltd.

The application alleges that the reason for striking this security from listing and registration on this exchange is that the number of outstanding shares represented by said American Deposit Receipts has been reduced to about 15,000, by means of exchange for shares of Common Stock, $15 Par Value, of International Packers, Limited; and this number is deemed too few to maintain a reasonable exchange market.

Upon receipt of a request, prior to May 1, 1953, from any interested person for a hearing in regard to terms to be imposed upon the delisting of this security, the Commission will determine whether to set the matter down for hearing. Such request should state briefly the nature of the interest of the person requesting the hearing and the position he proposes to take at the hearing with respect to imposition of terms or conditions. In addition, any interested person may submit his views or any additional facts bearing on this application by means of a letter addressed to the Secretary of the Securities and Exchange Commission, Washington, D. C. If no one requests a hearing on this matter, this application will be determined by order of the Commission on the basis of the facts stated in the application, and other information contained in the official file of the Commission pertaining to this matter.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 53-3070; Filed, Apr. 9, 1953; 8:47 a. m.]

[File No. 70-2345]

WISCONSIN ELECTRIC POWER CO.

ORDER RELEASING JURISDICTION OVER ACCOUNTING AND LEGAL FEES AND EXPENSES

APRIL 6, 1953.

Wisconsin Electric Power Company ("Wisconsin Electric") a registered holding company and a public utility company, having filed an application-declaration, and amendments thereto, with respect to (a) the issuance and sale, pursuant to the competitive bidding requirements of Rule U-50, of $12,500,000 principal amount of its First Mortgage Bonds, 3¼ percent Series, due 1982 and (b) the issuance and sale to its common stockholders, of a maximum of 702,486 shares of its common stock, on the basis of one share for each five shares held; and

The Commission, by orders dated April 28, 1952, and May 6, 1952, having granted and permitted to become effective said application-declaration, as amended, except that jurisdiction was reserved with respect to, among other things, fees and expenses for accounting and legal services to be incurred in connection with the proposed transactions; and

The record having been completed with respect to such fees and expenses, namely a fee of Price Waterhouse & Co., accountants for Wisconsin Electric, in the amount of $4,000 of which $2,000 is to be allocated to the issue and sale of the bonds and $2,000 to the issue and sale of the common stock, plus total expenses of $39.94; a fee of Sullivan & Cromwell, counsel for Wisconsin Electric, in the amount of $13,500 of which $6,250 is to be allocated to the issue and sale of the bonds and $7,250 to the issue and sale of the common stock, plus total expenses of $960; and a fee and expenses of Cahill, Gordon, Zachary & Reindel, counsel for the purchasers of the bonds, in the amounts of $7,500 and $450 respectively; and

The Commission having considered the record with respect to said fees and expenses and it appearing that the same are not unreasonable;

It is hereby ordered, That the jurisdiction heretofore reserved over fees and expenses for accounting and legal services be, and the same hereby is, released.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 53-3076; Filed, Apr. 9, 1953; 8:48 a. m.]

[File Nos. 70-2312, 70-2337]

DUQUESNE LIGHT CO. AND PHILADELPHIA CO.

ORDER RELEASING JURISDICTION OVER LEGAL FEES

APRIL 6, 1953.

In the matter of Duquesne Light Company, File No. 70-2912; Philadelphia Company, Duquesne Light Company, File No. 70-2337.

The Commission, by orders dated September 3, 1952, September 16, 1952, and September 23, 1952, having granted an application, as amended (File No. 70-2312) filed pursuant to the act by Duquesne Light Company ("Duquesne") a public utility subsidiary of Philadelphia Company ("Philadelphia"), a registered holding company, with respect to the issuance and sale of 140,000 shares of 4.15 percent Preferred Stock, $50 par value, and $14,000,000 principal amount of 3¼ percent First Mortgage Bonds, Series due September 1, 1982, and by its order dated November 19, 1952, having granted and permitted to become effective a joint application-declaration (File No. 70-2937) filed pursuant to the act by Philadelphia and Duquesne, with respect to the sale by Philadelphia of 170,000 shares of common stock of Duquesne and the issuance and sale by Duquesne of 80,000 shares of its common stock, and the Commission having reserved jurisdiction over the fees and expenses for accounting and legal services in connection with such transactions; and

The Commission having considered the dated March 17, 1953, having released jurisdiction with respect to the accounting fees and expenses; and

The record having been completed with respect to legal fees and expenses, namely (i) a fee of Reed, Smith, Shaw & McClay, counsel for Philadelphia and Duquesne, in the amount of $27,500, of which $7,000 is to be allocated to the issue and sale of the preferred stock, $10,500 to the issue and sale of the bonds, $6,800 to the sale by Philadelphia of common stock of Duquesne and $3,200 to the issue and sale of common stock by Duquesne, and (ii) a fee of Cahill, Gordon, Cachry & Reindel, counsel for the underwriters, in the amount of $19,500, of which $3,000 is for services as counsel to the purchasers of the bonds, $5,000 is for services as counsel to the purchasers of the preferred stock, and

$6,500 is for services as counsel to the purchasers of the common stock; and

The Commission having considered the record with respect to said fees and it appearing that the same are not unreasonable:

It is ordered, That the jurisdiction heretofore reserved over fees and expenses for legal services be, and the same hereby is, released.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 53-3077; Filed, Apr. 9, 1953; 8:49 a. m.]

[File No. 70-3014]

JERSEY CENTRAL POWER & LIGHT CO. AND GENERAL PUBLIC UTILITIES CORP.

ORDER AUTHORIZING ISSUANCE AND SALE TO BANKS OF NOTES, COMMON STOCK TO PARENT AND ISSUANCE AND SALE OF BONDS

APRIL 6, 1953.

General Public Utilities Corporation ("GPU") a registered holding company, and one of its public utility subsidiaries, Jersey Central Power & Light Company ("Jersey Central") having filed an application-declaration and an amendment thereto, pursuant to the Public Utility Holding Company Act of 1935 ("act") particularly sections 6 (a) 6 (b) 7, 9 (a), and 10 of the act and Rule U-50 thereunder with respect to the following proposed transactions:

Jersey Central proposes to issue and sell, subject to the competitive bidding requirements of Rule U-50, $8,500,000 principal amount of First Mortgage Bonds, ___ Percent Series, due 1983, to be issued under and secured by Jersey Central's indenture dated as of March 1, 1946, as heretofore supplemented and to be supplemented by an indenture to be dated as of April 1, 1953. The interest rate and the price to be paid to Jersey Central are to be determined by the competitive bidding.

Jersey Central also proposes to issue and sell to GPU (the holder of all the outstanding capital stock of Jersey Central), and GPU proposes to purchase from Jersey Central, from time to time or in one transaction but, in any event, prior to or simultaneously with the issuance of the new bonds, 400,000 additional shares of Jersey Central common stock at a price equal to its par value of $10 per share or an aggregate price of $4,000,000. In connection with the issuance and sale of additional common stock, Jersey Central proposes to amend its certificate of incorporation so as to increase its authorized common stock from 2,000,000 shares of the par value of $10 per share to 3,000,000 shares of the par value of $10 per share.

Jersey Central further proposes, by the issuance and sale of unsecured notes, to borrow from banks from time to time, but not later than September 30, 1954, sums not to exceed the aggregate amount of $7,500,000 outstanding at any one time. Such notes are to be issued pursuant to the terms of a credit agreement between Jersey Central and Irving Trust Company and Bankers Trust Company, dated February 26, 1953. Any note issued under the agreement is to mature at a date to be specified by Jersey Central, but not later than December 31, 1957. Any note maturing on or before December 31, 1954, is to bear interest at the rate of 3 percent per annum, any note maturing after December 31, 1954 is to bear interest at the rate of 3¼ percent per annum. Any note may be prepaid, in whole or in part, without premium, unless (a) the note prepaid matures on or before December 31, 1954 and is prepaid with proceeds, or in anticipation, of another note issued under the credit agreement maturing after December 31, 1954, made within two months of such prepayment, or (b) the prepayment is made with proceeds, or in anticipation, of any bank borrowing not made under the credit agreement. In the event of prepayment pursuant to (a) above, the company is required to pay a premium at the rate of ¼ of 1 percent per annum of the amount prepaid, in the event of prepayment pursuant to (b) above the premium will be at the rate of ½ of 1 percent per annum of the amount prepaid.

If Jersey Central pays at maturity any note maturing on or before December 31, 1954, from the proceeds, or in anticipation, of another loan under the credit agreement maturing after December 31, 1954, made within two months of such payment, the company is required to pay a premium at the rate of ¼ of 1 percent per annum of the amount prepaid from date of issuance of the note to its maturity.

Jersey Central is to pay the banks a commitment fee at the rate of ¼ of 1 percent per annum computed on a daily basis from the date of any Commission order approving the instant proposal to September 30, 1954, on the unused balance of the commitment, which commitment may be terminated or reduced by Jersey Central at any time upon payment of the commitment fee accrued and unpaid.

The filing states that Jersey Central consents to the imposition by the Commission in any order approving the proposals of a condition to the effect that, unless and until a post-effective amendment to this application-declaration shall have been filed and granted and permitted to become effective, the aggregate principal amount of borrowing by Jersey Central under the credit agreement outstanding at any one time shall not exceed $3,000,000, and that Jersey Central also consents to the reservation of jurisdiction by the Commission with respect to any borrowing by Jersey Central under the credit agreement as a result of which the aggregate principal amount of borrowings thereunder would exceed $3,000,000.

The total expenses to be incurred by Jersey Central are estimated not to exceed $59,000 with respect to bonds, $8,000 with respect to the common stock and $3,500 with respect to the notes.

The filing further states that no State or Federal regulatory body, other than the Board of Public Utility Commissioners of the State of New Jersey and this Commission, has jurisdiction over any of the proposed transactions, and that the issuance and sale by Jersey Central of the bonds, the common stock, and of the notes under the credit agreement will be solely for the purpose of financing the business of Jersey Central, and have been expressly authorized by the Board of Public Utility Commissioners of the State of New Jersey, subject to the issuance by such State Commission of certain supplemental certificates. It requests that the Commission's order become effective upon issuance and that the ten-day period for receiving bids on the bonds, as provided in Rule U-50, be shortened to a period of seven days.

Due notice having been given of the filing of the application-declaration and amendment thereto, and a hearing not having been requested or ordered by the Commission; and it appearing that further data may be required with respect to fees and expenses of GPU and with respect to the fees and expenses of counsel for Jersey Central and of counsel for the purchasers of the notes and for the successful bidder for the bonds; and the Commission finding with respect to said application-declaration, as amended, that the applicable standards of the act and the rules are satisfied and that it is not necessary to impose any terms or conditions other than those set forth below, and the Commission deeming it appropriate that said application-declaration, as amended, including the request for shortening the bidding period, be granted and permitted to become effective forthwith, subject to the reservation of jurisdiction hereinafter provided:

It is ordered, Pursuant to Rule U-23 and the applicable provisions of the act, that said application-declaration, as amended, be, and it hereby is, granted and permitted to become effective forthwith, subject to the conditions prescribed in Rule U-24 and to the following additional terms and conditions:

(1) That the proposed issuance and sale by Jersey Central of bonds shall not be consummated until the results of competitive bidding shall have been made a matter of record in this proceeding and a further order shall have been issued in the light of the record so completed, which order may contain such further terms or conditions as may then be deemed appropriate;

(2) That Jersey Central shall not issue and sell any notes under the credit agreement if, after such issuance and sale, there would be more than $3,000,000 of such notes outstanding at any one time, unless and until an amendment to the application-declaration shall have been filed by Jersey Central and a further order shall have been issued, which order may contain such further conditions as may then be deemed appropriate; and that jurisdiction be reserved with respect to the issuance and sale by Jersey Central of any notes under the credit agreement as a result of which the aggregate principal amount of notes outstanding thereunder at any one time would exceed $3,000,000; and

(3) That jurisdiction be reserved with respect to all fees and expenses of GPU and with respect to the fees and expenses of counsel for Jersey Central

and of counsel for the purchasers of the notes and for the successful bidder for the bonds.

It is further ordered, That the period for receiving competitive bids on the bonds be, and it hereby is, shortened to a period of not less than seven days.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 53-3074; Filed, Apr. 9, 1953; 8:48 a. m.]

[File No. 70-3023]

CENTRAL AND SOUTH WEST CORP. AND CENTRAL POWER AND LIGHT CO.

NOTICE OF FILING REGARDING PROPOSED ISSUANCE AND SALE BY A SUBSIDIARY OF COMMON STOCK TO ITS PARENT, AND PROPOSED ISSUANCE AND SALE OF FIRST MORTGAGE BONDS

APRIL 6, 1953.

Notice is hereby given that Central and South West Corporation ("Central") a registered holding company, and its public utility subsidiary, Central Power and Light Company ("Central Power") have filed a joint application-declaration with the Commission pursuant to the Public Utility Holding Company Act of 1935 ("act") and have designated sections 6 (a) 7, 9 (a) 10 and 12 (f) thereof and Rules U-43 and U-50 promulgated thereunder as applicable to the proposed transactions.

Notice is further given that any interested person may, not later than April 20, 1953, at 5:30 p. m., e. s. t., request the Commission in writing that a hearing be held on such matter, stating the reasons for such request, the nature of his interest and the issues of fact or law raised by said application-declaration which he desires to controvert, or may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, 425 Second Street NW., Washington 25, D. C. At any time after April 20, 1953, said application-declaration, as filed or as amended, may be granted and permitted to become effective as provided in Rule U-23 of the rules and regulations promulgated under the act, or the Commission may exempt such transactions as provided in Rule U-20 (a) and Rule U-100 thereof.

All interested persons are referred to said application-declaration, which is on file in the offices of the Commission for a statement of the transactions therein proposed, which are summarized as follows:

Central Power proposes, by amendment to its charter, to increase the total number of authorized shares of its common stock ($10 par value per share) from 2,097,300 shares to 2,397,300 shares, and to issue and sell, and Central proposes to acquire, 300,000 shares of Central Power's common stock for the sum of $3,000,000 in cash.

Central Power further proposes to issue and sell, pursuant to the competitive bidding requirements of Rule U-50, $8,000,000 principal amount of its First Mortgage Bonds, Series E, due May 1, 1983. The bonds will be issued under an indenture dated November 1, 1943, as modified by indentures supplemental thereto, and by a proposed supplemental indenture to be dated May 1, 1953.

The proceeds to be received by the company from the sale of the common stock and bonds will be used to pay for a part of its construction program for 1953 and 1954 estimated to cost approximately $43,500,000.

Central Power requests that the ten-day publication period for inviting bids for the bonds, required by Rule U-50, be shortened to a period of not less than six days.

The application-declaration states that no regulatory agency or authority other than this Commission has jurisdiction over the proposed transactions.

It is requested that any order entered by the Commission herein become effective upon issuance.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 53-3072; Filed, Apr. 9, 1953; 8:47 a. m.]

[File No. 70-3035]

KINGSPORT UTILITIES, INC.

NOTICE OF FILING REGARDING BANK BORROWINGS

APRIL 6, 1953.

Notice is hereby given that Kingsport Utilities, Incorporated ("Kingsport"), an electric utility subsidiary of American Gas and Electric Company, a registered holding company, has filed a declaration pursuant to the Public Utility Holding Company Act of 1935 ("act"), and has designated sections 6 (a) and 7 thereof as applicable to the proposed transactions which are summarized as follows:

Kingsport proposes to enter into an agreement with two New York banking institutions pursuant to which Kingsport may borrow amounts not to exceed $1,250,000, from time to time, prior to December 31, 1954. The notes to be issued by Kingsport in evidence of such borrowings will be dated as of the date of said borrowings and will in no event mature in more than 270 days after the date of issuance.

It is expected that the initial borrowings will be made in the aggregate amount of $100,000 on or about May 1, 1953. The notes evidencing such initial borrowings will bear interest at the then current prime credit rate which is currently 3 percent per annum. Subsequent borrowings will be made from time to time and will bear interest at the then current prime credit rate.

The declaration states that Kingsport agrees that if the prime credit rate at the time of the issuance of any of the notes proposed to be issued is in excess of 3¼ percent per annum, it will, at least five days prior to such subsequent borrowings, file an amendment to the declaration setting forth the amount of such borrowing and the annual rate of interest thereon. Kingsport also agrees that if the prime credit rate at the time of renewal of any of the notes proposed to be issued is in excess of 3¼ percent per annum, it will, at least five days prior to such renewal, file an amendment to its declaration setting forth the annual rate of interest on the renewal notes. Kingsport requests upon the filing of such amendment or amendments that the same become effective five days after the filing thereof provided no action is taken with respect thereto within said five days by the Commission.

Kingsport will use the proceeds from such bank borrowings to finance, in part, its construction program which is estimated in the aggregate amount of $1,437,000 for the years 1953 and 1954.

Notice is further given that any interested person may, not later than April 22, 1953, at 5:30 p. m., e. s. t., request the Commission in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request, and the issues of fact or law, if any, raised by the said declaration which he desires to controvert, or may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, 425 Second Street NW., Washington 25, D. C. At any time after April 22, 1953, said declaration, as filed or as amended, may be permitted to become effective as provided in Rule U-23 of the rules and regulations promulgated under the act, or the Commission may exempt such transactions as provided in Rule U-20 (a) and Rule U-100 thereof. All interested persons are referred to said declaration which is on file at the offices of this Commission for a statement of the transactions therein proposed.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 53-3073; Filed, Apr. 9, 1953; 8:47 a. m.]

[File Nos. 54-186, 59-93, 70-1804]

ARKANSAS NATURAL GAS CORP. ET AL.

ORDER RELEASING JURISDICTION WITH RESPECT TO PROPOSED BOARDS OF DIRECTORS OF ARKANSAS LOUISIANA GAS COMPANY AND ARKANSAS FUEL OIL CORPORATION

APRIL 6, 1953.

In the matter of Arkansas Natural Gas Corporation, Cities Service Company, File No. 54-186; Arkansas Natural Gas Corporation and its subsidiaries and Cities Service Company, respondents; File Nos. 59-93, 70-1804.

The Commission, by Order dated October 1, 1952, having approved a Plan filed by Arkansas Natural Gas Corporation ("Arkmat"), a registered holding company and a subsidiary of Cities Service Company ("Cities") also a registered holding company, pursuant to section 11 (e) of the Public Utility Holding Company Act of 1935 ("act") which

Plan was ordered enforced by the United States District Court for the District of Delaware by order dated January 29, 1953;

The Commission in its findings and opinion dated October 1, 1952, having state that provision should be made in said Plan to give the public minority stockholders adequate representation on the initial Boards of Directors of Arkansas Louisiana Gas Company ("Arkla") and Arkansas Fuel Oil Corporation ("Arkfuel") subsidiaries of Arknat;

The Commission, by said order dated October 1, 1952, having reserved jurisdiction with respect to the selection and composition of the first Boards of Directors of Arkla and Arkfuel;

Arknat now having filed with the Commission the names, addresses and business affiliations of the persons selected to serve on the said Boards of Directors;

Said persons selected to serve on the Board of Directors of Arkla being Erle G. Christian, Robert S. Davis, J. Carroll Hamilton, Edward B. Kelley, Henry L. O'Brien, Justin R. Querbes, Sr., William C. Spooner, Richard P Walsh, Burl S. Watson, Alvin H. Weyland and James R. Wylie, Jr.,

Said persons selected to serve on the Board of Directors of Arkfuel being Paul G. Benedum, Erle G. Christian, H. Theo Goss, Harry A. McDonald, Richard A. Nelson, Vincent J. Nolan, Henry L. O'Brien, Henry C. Walker, Jr., Chester L. Wallace, Burl S. Watson and John A. Welch; and

The Commission having considered the proposed Boards of Directors of Arkla and Arkfuel and finding that said Boards as proposed conform to the requirements of the Commission's Opinion and the applicable provisions of the act and that no adverse action need be taken with respect to said Boards:

It is ordered, That the jurisdiction heretofore reserved with respect to the selection and composition of the new Boards of Directors of Arkla and Arkfuel be, and the same hereby is, released.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 53-3075; Filed, Apr. 9, 1953; 8:48 a. m.]

[File No. 812-825]

UNITED FUNDS, INC.

NOTICE OF APPLICATION

APRIL 6, 1953.

Notice is hereby given that United Funds, Inc., a registered investment company has filed an application pursuant to section 6 (c) of the Investment Company Act of 1940 ("act") for an order of the Commission granting leave to appoint Wilmington Trust Company of Wilmington, Delaware, as custodian of the assets of United Continental Fund under the provisions of section 17 (f) of the act.

United Funds, Inc. has outstanding four classes of shares designated as United Income Fund, United Accumulative Fund, United Science Fund and United Continental Fund. Commerce Trust Company of Kansas City, Missouri, acts as custodian of the assets of each of these funds except those of United Science Fund. By order of the Commission dated March 27, 1951 (Investment Company Act Release No. 1600) Applicant was permitted to appoint Wilmington Trust Company as custodian of the assets of United Science Fund. Applicant states that in the opinion of its principal underwriter and based on its experience with United Science Fund, the change in custodianship will be advantageous to Applicant and to the shareholders of United Continental Fund, and will not result in any appreciably greater expense to Applicant. Commerce Trust Company will continue to act as custodian for the other funds of United Funds, Inc.

All interested persons are referred to said application which is on file in the offices of the Commission for a detailed statement of the proposed transaction and the matters of fact and law asserted.

Notice is further given that an order granting the application, in whole or in part and upon such conditions as the Commission may see fit to impose, may be issued by the Commission at any time after April 22, 1953, unless prior thereto a hearing upon the application is ordered by this Commission, as provided in Rule N-5 of the rules and regulations promulgated under the act. Any interested person may, not later than April 20, 1953, at 5:30 p. m., e. s. t., submit to the Commission in writing his views or any additional facts bearing upon the application or the desirability of a hearing thereon, or request the Commission in writing that a hearing be held thereon. Any such communication or request should state briefly the nature of the interest of the person submitting such information or requesting a hearing, the reasons for such request and the issues of fact or law raised by the application which he desires to controvert. Any such communication or request should be addressed: Secretary, Securities and Exchange Commission, 425 Second Street NW., Washington 25, D. C.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 53-3071; Filed, Apr. 9, 1953; 8:47 a. m.]

[File No. 812-823]

LEHMAN CORP. AND B-L AND ASSOCIATES, INC.

NOTICE OF APPLICATION

APRIL 7, 1953.

The Lehman Corporation (Applicant) One William Street, New York 4, New York, a registered investment company, has filed an application pursuant to section 17 (b) of the Investment Company Act of 1940 requesting an order exempting from the provisions of section 17 (a) (2) of said act the purchase for retirement by B-L and Associates, Inc. (B-L) of certain of its preferred stock owned by Applicant.

Background of the transaction. In 1951, a limited number of investors, including Applicant and Lehman Brothers, its investment adviser, purchased at par for $9,500,000 in cash all the outstanding capital stock of B-L which consisted of 90,000 shares of $100 par value 4 percent cumulative preferred stock and 100,000 shares of $5 par value common stock. Applicant purchased 5,000 shares (5.55 percent) of said preferred and 5,278 shares (5.27 percent) of said common stock of B-L. Applicant still retains this original investment in B-L and values it at cost (approximately $526,390) On December 18, 1951, B-L exercised an option to purchase 16,666 of the 25,000 outstanding shares of Wilshire Oil Co. Inc. (Wilshire) common stock at $1,320 per share, subject to an obligation to make certain future payments in case certain oil reserves should exceed those contemplated by the purchase price of approximately $22,000,000. B-L thereupon pledged its Wilshire stock as security for an 18-month bank loan of $13,200,000 at 4½ percent interest, and was provided with an initial working capital of $700,000.

After Wilshire was placed in liquidation on February 9, 1953, and some of its producing oil properties were distributed to B-L as a liquidating dividend, B-L sold its interest in these properties for approximately $18,300,000. From the proceeds of such sale of assets, B-L then repaid the above-mentioned bank loan. Wilshire has other miscellaneous assets which will probably be distributed as the liquidation progresses and either will be operated by B-L or will eventually be disposed of. B-L's assets now consist principally of $5,000,000 in cash and interests in certain oil leases. B-L shows an operating loss to date of approximately $600,000.

Transaction for which exemption is requested. B-L has offered to purchase for retirement and extinguishment 22,500 shares of its outstanding preferred stock at $100 per share, on a pro rata basis which would permit each holder to tender 25 percent of the preferred stock held at the close of business March 4, 1953. The offer which is extended to all of its preferred stockholders must be accepted prior to April 15, 1953. Applicant proposes to accept such offer and to sell to B-L 1,250 of its 5,000 shares of B-L preferred stock at $100 per share. The dividend arrearages to date on the preferred stock amount to approximately $5.86 per share.

Applicant and B-L are affiliated persons of each other. In consequence, B-L is prohibited by the provisions of section 17 (a) (2) of the act from purchasing shares of its preferred stock from Applicant unless the Commission grants the application pursuant to the provisions of section 17 (b) of the act.

The Applicant states that the transaction will permit the release of funds committed by the Applicant to the senior capital of B-L, but only at the same times and upon the same terms made available to all other holders of B-L preferred stock. It is urged that the standards of section 17 (b) are met in that the terms of the proposed transaction are fair and

reasonable and do not involve overreaching on the part of any person concerned; and that the transaction is consistent with the policies of Applicant as recited in its registration statement and reports filed under the act and with the general purposes of the act.

For a more detailed statement of the matters of fact and law asserted, all interested persons are referred to said application which is on file in the offices of the Commission at Washington, D. C.

Notice is further given that an order granting the application may be issued by the Commission at any time on or after April 14, 1953, unless prior thereto a hearing upon the application is ordered by the Commission as provided in Rule N-5 of the rules and regulations promulgated under the act. Any interested person may not later than April 13, 1953, at 5:30 p. m., e. s. t., submit in writing to the Commission his views or any additional facts bearing upon this application or the desirability of a hearing thereon, or request in writing that the Commission order a hearing to be held thereon. Any such communication or request should be addressed: Secretary, Securities and Exchange Commission, 425 Second Street NW., Washington 25, D. C., and should state briefly the nature of the interest of the person submitting such information or requesting a hearing, the reasons for such request and the issues of fact or law raised by the application which he desires to controvert.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 53-3132; Filed, Apr. 9, 1953; 8:58 a. m.]

SMALL DEFENSE PLANTS ADMINISTRATION

[S. D. P. A. Pool Request 15]

ADDITIONAL COMPANIES ACCEPTING REQUEST TO PARTICIPATE IN OPERATIONS OF WISCONSIN MANUFACTURERS' DEFENSE POOL, INC. OF MILWAUKEE, WISCONSIN

Pursuant to section 708 of the Defense Production Act of 1950, as amended, the names of the following companies which have accepted the request to participate in the operations of the Wisconsin Manufacturers' Defense Pool, Inc. of Milwaukee, Wisconsin, are herewith published. The original list of companies accepting such requests was published on January 15, 1953, in 18 F R. 340.

Advance Screw Products Co., 3767 South Kinnickinnic Avenue, Milwaukee, Wis.

Acme Galvanizing, Inc., South Nineteenth Street, at West Cleveland Avenue, Milwaukee, Wis.

Advance Tool & Die Casting Co., 3760-3782 North Holton Street, Milwaukee, Wis.

Alfa Machine Co., Inc., 2425 West Purdue Street, Milwaukee 9, Wis.

Biersach & Niedermeyer Co., 1937 North Hubbard Street, Milwaukee 12, Wis.

Eclipse Manufacturing Co., P. O. Box 683, Sheboygan, Wis.

Federal Malleable Co., 805 South Seventy-second Street, Milwaukee 14, Wis.

Gary Machine Tool Co., 4975 North Thirty-third Street, Milwaukee, Wis.

General Screw Products, Inc., 3002 North Third Street, Milwaukee 12, Wis.

Loeffelholz Co., 300 South First Street, Milwaukee 4, Wis.

Metal Treating, Inc., 720 South Sixteenth Street, Milwaukee 4, Wis.

Mid-West Machine & Tool Manufacturers, Inc., 4325 West Lincoln Avenue, Milwaukee 15, Wis.

Milwaukee Gear Co., 3844 North Third Street, Milwaukee 12, Wis.

Milwaukee Metal Products Co., 1737 North Palmer Street, Milwaukee 12, Wis.

National Machine Works, Milwaukee 2, Wis.

Paramount Woodwork Co., 5003 North Thirty-seventh Street, Milwaukee 9, Wis.

Supreme Tool & Manufacturing Co., 3623 West Pierce Street, Milwaukee 12, Wis.

Thurner Heat Treating Co., 803 West National Avenue, Milwaukee, 4, Wis.

Weld Rite Co., 3476 East Howard Avenue, St. Francis, Wis.

Whitewater Manufacturing Co., 520 Jefferson Street, Whitewater, Wis.

(Sec. 708, 64 Stat. 818, Pub. Law 96, as amended by Pub. Law 429, 82nd Cong; 50 U. S. C. App. 2158; E. O. 10370, July 7, 1952, 17 F. R. 6141)

Dated: April 2, 1953.

Y. BRYNILDSSEN, *Acting Administrator.*

[F. R. Doc. 53-3093; Filed, Apr. 9, 1953; 8:51 a. m.]

DEPARTMENT OF JUSTICE

Office of Alien Property

[Vesting Order 19216]

FRED BIELEFELD

In re: Rights of Fred Bielefeld under insurance contract. File No. F-28-26852-H-1.

Under the authority of the Trading With the Enemy Act, as amended (50 U. S. C. App. and Sup. 1-40), Public Law 181, 82d Congress, 65 Stat. 451, Executive Order 9193, as amended by Executive Order 9567 (3 CFR 1943 Cum. Supp., 3 CFR 1945 Supp.) Executive Order 9788 (3 CFR 1946 Supp.) and Executive Order 9989 (3 CFR 1948 Supp.) and pursuant to law, after investigation, it is hereby found:

1. That Fred Bielefeld, whose last known address is Mallwischken b/Gumbinnen, East Prussia, Germany, on or since December 11, 1941, and prior to January 1, 1947, was a resident of Germany and is, and prior to January 1, 1947, was, a national of a designated enemy country (Germany),

2. That the net proceeds due or to become due under a contract of insurance evidenced by Policy No. 4 511 889 C issued by the Metropolitan Life Insurance Company, New York, New York, to Fred Bielefeld, and any and all other benefits and rights of any kind or character whatsoever under or arising out of said contract of insurance, except those of Adolph Bielefeld, a resident of the United States, and of the aforesaid Metropolitan Life Insurance Company, together with the right to demand, enforce, receive and collect the same is property which is and prior to January 1, 1947, was within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to or which is evidence of ownership or control by, Fred Bielefeld, the aforesaid national of a designated enemy country (Germany),

and it is hereby determined:

3. That the national interest of the United States requires that the person named in subpargaraph 1 hereof be treated as a person who is and prior to January 1, 1947, was a national of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on April 6, 1953.

For the Attorney General.

[SEAL] PAUL V. MYRON, *Deputy Director Office of Alien Property.*

[F. R. Doc. 53-3039; Filed, Apr. 9, 1953; 8:53 a. m.]

[Vesting Order 19217]

ROBERT BRUNS

In re: Trust under will of Robert Bruns, deceased. File No. D-28-13146.

Under the authority of the Trading With the Enemy Act, as amended (50 U. S. C. App. and Sup. 1-40) Public Law 181, 82d Congress, 65 Stat. 451; Executive Order 9193, as amended by Executive Order 9567 (3 CFR 1943 Cum. Supp., 3 CFR 1945 Supp.), Executive Order 9788 (3 CFR 1946 Supp.) and Executive Order 9989 (3 CFR 1948 Supp.) and pursuant to law, after investigation, it is hereby found:

1. That Jacob Gunther Bruns, Robert Ummo Bruns, Anna Charlotte Bruns Dahmen, Richard Jurgen Bruns and Hinrich Dieter Bruns, whose last known address is Germany, on or since December 11, 1941, and prior to January 1, 1947, were residents of Germany and are, and prior to January 1, 1947, were, nationals of a designated enemy country (Germany)

2. That all right, title, interest and claim of any kind or character whatsoever of the persons named in subparagraph 1 hereof in and to the trust created under the will of Robert Bruns, deceased, presently being administered by William Harvey Reeves, as ancillary administrator c. t. a., acting under the judicial supervision of the Surrogate's Court of New York County, New York, is property which is and prior to January 1, 1947, was within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the persons named in subparagraph 1 hereof,

nationals of a designated enemy country (Germany),

and it is hereby determined:

3. That the national interest of the United States requires that the persons named in subparagraph 1 hereof be treated as persons who are and prior to January 1, 1947, were nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest.

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on April 6, 1953.

For the Attorney General.

[SEAL] PAUL V. MYRON,
Deputy Director
Office of Alien Property.

[F. R. Doc. 53-3100; Filed, Apr. 9, 1953; 8:53 a. m.]

[Vesting Order 19218]

LOUISE DE HAVEN

In re: Estate of Louise De Haven, deceased. File F-63-11101, E & T No. 8901.

Under the authority of the Trading With the Enemy Act, as amended (50 U. S. C. App. and Sup. 1-40), Public Law 181, 82d Congress, 65 Stat. 451, Executive Order 9193, as amended by Executive Order 9567 (3 CFR 1943 Cum. Supp.; 3 CFR 1945 Supp.) Executive Order 9788 (3 CFR 1946 Supp.) and Executive Order 9989 (3 CFR 1948 Supp.) and pursuant to law, after investigation, it is hereby found:

1. That Adelheidt (Adelaide) Augusta Nina Edwina (von Alten) von Hardenberg and Erma (Irmgard) Stella (von Alten) von Wengersky, whose last known address is Germany, on or since December 11, 1941, and prior to January 1, 1947, were residents of Germany and are, and prior to January 1, 1947, were nationals of a designated enemy country (Germany)

2. That all right, title, interest and claim of any kind or character whatsoever of the persons identified in subparagraph 1 hereof, in and to the Estate of Louise De Haven, is property which is and prior to January 1, 1947, was within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Germany)

3. That such property is in the process of administration by Eugene Orme, as executor, acting under the judicial supervision of the Superior Court, Monterey County, California, and Thomas D. Nash, Public Administrator, acting under the judicial supervision of the Probate Court of Cook County, Illinois;

and it is hereby determined:

4. That the national interest of the United States requires that the persons identified in subparagraph 1 hereof be treated as persons who are and prior to January 1, 1947, were nationals of a designated enemy country (Germany)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on April 6, 1953.

For the Attorney General.

[SEAL] PAUL V MYRON,
Deputy Director
Office of Alien Property.

[F. R. Doc. 53-3101; Filed, Apr. 9, 1953; 8:53 a. m.]

[Vesting Order 19219]

EVA DOHERR

In re: Trust under the will of Eva Doherr, deceased. File No. F-28-6547.

Under the authority of the Trading With the Enemy Act, as amended (50 U. S. C. App. and Sup. 1-40) Public Law 181, 82d Congress, 65 Stat. 451, Executive Order 9193, as amended by Executive Order 9567 (3 CFR 1943 Cum. Supp., 3 CFR 1945 Supp.) Executive Order 9788 (3 CFR 1946 Supp.) and Executive Order 9989 (3 CFR 1948 Supp.) and pursuant to law, after investigation, it is hereby found:

1. That Maria Franziska Hornung and Otto Hornung, whose last know address is Germany, on or since December 11, 1941, and prior to January 1, 1947, were residents of Germany and are, and prior to January 1, 1947 were nationals of a designated enemy country (Germany)

2. That the issue, names unknown, of Maria Franziska Hornung, and the issue, names unknown, of Otto Hornung, who there is reasonable cause to believe are and on or since December 11, 1941 and prior to January 1, 1947, were residents of Germany, are and prior to January 1, 1947, were nationals of a designated enemy country (Germany)

3. That all right, title, interest and claim of any kind or character whatsoever of the persons identified in subparagraphs 1 and 2 hereof, and each of them, in and to the trust created under Paragraph Sixth of the will of Eva Doherr, deceased, is property which is and prior to January 1, 1947, was within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by the aforesaid nationals of a designated enemy country (Germany)

4. That such property is in the process of administration by Myles B. Amend, as successor trustee, acting under the judicial supervision of the Surrogate's Court of Bronx County, State of New York;

and it is hereby determined:

5. That the national interest of the United States requires that the persons identified in subparagraphs 1 and 2 hereof, and each of them, be treated as persons who are and prior to January 1, 1947, were nationals of a designated enemy country (Germany)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on April 6, 1953.

For the Attorney General.

[SEAL] PAUL V MYRON,
Deputy Director,
Office of Alien Property.

[F. R. Doc. 53-3102; Filed, Apr. 9, 1953; 8:53 a. m.]

[Vesting Order 19220]

HEDWIG DRESSEL

In re: Estate of Hedwig Dressel, also known as Hattie Dressel, deceased. File No. D-28-13158: E. & T. No. 17264.

Under the authority of the Trading With the Enemy Act, as amended (50 U. S. C. App. and Sup. 1-40), Public Law 181, 82d Congress, 65 Stat. 451, Executive Order 9193, as amended by Executive Order 9567 (3 CFR 1943 Cum. Supp., 3 CFR 1945 Supp.) Executive Order 9788 (3 CFR 1946 Supp.) and Executive Order 9989 (3 CFR 1948 Supp.) and pursuant to law, after investigation, it is hereby found:

1. That Anna Dressel, whose last known address is Germany, on or since December 11, 1941, and prior to January 1, 1947, was a resident of Germany and is and prior to January 1, 1947, was a national of a designated enemy country (Germany)

2. That all right, title, interest and claim of any kind or character whatsoever of the person named in subparagraph 1 hereof, in and to the Estate of Hedwig Dressel, also known as Hattie Dressel, deceased, is property which is and prior to January 1, 1947 was within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control

by the aforesaid national of a designated enemy country (Germany)

3. That such property is in the process of administration by John C. Glenn, Public Administrator of Queens County, as administrator, acting under the judicial supervision of the Surrogate's Court of Queens County, New York;

and it is hereby determined:

4. That the national interest of the United States requires that the person named in subparagraph 1 hereof, be treated as a person who is and prior to January 1, 1947 was a national of a designated enemy country (Germany)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on April 6, 1953.

For the Attorney General.

[SEAL] PAUL V MYRON,
Deputy Director
Office of Alien Property.

[F. R. Doc. 53-3103; Filed, Apr. 9, 1953; 8:53 a. m.]

[Vesting Order 19221]

HENRY SCHLEEF

In re: Estate of Henry Schleef, deceased. File No. D-28-13160.

Under the authority of the Trading With the Enemy Act, as amended (50 U. S. C. App. and Sup. 1-40) Public Law 181, 82d Congress, 65 Stat. 451, Executive Order 9193, as amended by Executive Order 9567 (3 CFR 1943 Cum. Supp., 3 CFR 1945 Supp.) Executive Order 9788 (3 CFR 1946 Supp.) and Executive Order 9989 (3 CFR 1948 Supp.) and pursuant to law, after investigation, it is hereby found:

1. That Eugenie Wellman, Mrs. Adele Heide, and Wilhelm Schleef, whose last known address is Germany, on or since December 11, 1941, and prior to January 1, 1947, were residents of Germany and are, and prior to January 1, 1947, were nationals of a designated enemy country (Germany)

2. That all right, title, interest and claim of any kind or character whatsoever of the persons identified in subparagraph 1 hereof, in and to the Estate of Henry Schleef, deceased, is property which is and prior to January 1, 1947, was within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by the aforesaid nationals of a designated enemy country (Germany),

3. That such property is in the process of administration by Albert Wheltle, acting under the judicial supervision of the Orphans' Court of Baltimore City, Baltimore, Maryland;

and it is hereby determined:

4. That the national interest of the United States requires that the persons identified in subparagraph 1 hereof be treated as persons who are and prior to January 1, 1947, were nationals of a designated enemy country (Germany)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on April 6, 1953.

For the Attorney General.

[SEAL] PAUL V MYRON,
Deputy Director,
Office of Alien Property.

[F. R. Doc. 53-3104; Filed, Apr. 9, 1953; 8:53 a. m.]

[Vesting Order 19222]

SOPHIA THORNDIKE

In re: Trust under will of Sophia Thorndike, deceased. File No. D-28-13123.

Under the authority of the Trading With the Enemy Act, as amended (50 U. S. C. App. and Sup. 1-40) Public Law 181, 82d Congress, 65 Stat. 451, Executive Order 9193, as amended by Executive Order 9567 (3 CFR 1943 Cum. Supp., 3 CFR 1945 Supp.), Executive Order 9788 (3 CFR 1946 Supp.) and Executive Order 9989 (3 CFR 1948 Supp.), and pursuant to law, after investigation, it is hereby found:

1. That the heirs-at-law, next-of-kin, legatees and distributees, names unknown, of Elizabeth Francis Oelrichs, of Isabella H. S. A. Oelrichs, of Elizabeth W. B. Oelrichs, of Margarethe G. S. Oelrichs and of Theodor Oelrichs, who there is reasonable cause to believe are and on or since December 11, 1941, and prior to January 1, 1947, were residents of Germany, are and prior to January 1, 1947, were nationals of a designated enemy country (Germany),

2. That all right, title, interest and claim of any kind or character whatsoever of the persons identified in subparagraph 1 hereof in and to the trust created under the will of Sophia Thorndike, deceased, presently being administered by the Rhode Island Hospital Trust Company, as successor trustee, acting under the judicial supervision of the Superior Court, State of Rhode Island, is property which is and prior to January 1, 1947, was within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the persons identified in subparagraph 1 hereof, nationals of a designated enemy country (Germany)

and it is hereby determined:

3. That the national interest of the United States requires that the persons identified in subparagraph 1 hereof be treated as persons who are and prior to January 1, 1947, were nationals of a designated enemy country (Germany)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on April 6, 1953.

For the Attorney General.

[SEAL] PAUL V MYRON,
Deputy Director
Office of Alien Property.

[F. R. Doc. 53-3105; Filed, Apr. 9, 1953; 8:54 a. m.]

[Vesting Order 19223]

DR. PETER W BESENBRUCH

In re: Personal property, household goods, furniture and bank accounts owned by Dr. Peter W. Besenbruch. F-28-7282-C-1/2.

Under the authority of the Trading With the Enemy Act, as amended (50 U. S. C. App. and Sup. 1-40) Public Law 181, 82d Congress, 65 Stat. 451, Executive Order 9193, as amended by Executive Order 9567 (3 CFR 1943 Cum. Supp., 3 CFR 1945 Supp.) Executive Order 9788 (3 CFR 1946 Supp.) and Executive Order 9989 (3 CFR 1948 Supp.), and pursuant to law, after investigation, it is hereby found:

1. That Dr. Peter W. Besenbruch, whose last known address is 25 Friesische Strasse, Flensburg, Germany, on or since December 11, 1941, and prior to January 1, 1947 was a resident of Germany and is, and prior to January 1, 1947 was, a national of a designated enemy country (Germany),

2. That the property described as follows:

a. That certain personal property, household goods and furniture presently stored with Caldwell Bonded Warehouses, Inc., 209-15 S. Franklin Street, Tampa 1, Florida under Lot No. 4426 dated November 30, 1940, subject to any lien against, or other security interest in,

the aforesaid property, held by the aforesaid company arising out of unpaid storage fees,

b. That certain debt or other obligation of the Exchange National Bank of Tampa, 601–3 Franklin Street, Tampa, Florida, arising out of an account entitled Dr. Peter W Besenbruch, maintained with the aforesaid bank, together with any and all rights to demand, enforce and collect the same, and

c. That certain debt or other obligation of The Florida National Bank at Coral Gables, Florida, arising out of an account entitled Willard A. Nicholson, trustee, maintained with the aforesaid bank, together with any and all rights to demand, enforce and collect the same,

is property which is and prior to January 1, 1947, was within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, Dr. Peter W. Besenbruch, the aforesaid national of a designated enemy country (Germany)

and it is hereby determined.

3. That the national interest of the United States requires that the person referred to in subparagraph 1 hereof, be treated as a person who is and prior to January 1, 1947, was a national of a designated enemy country (Germany)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on April 6, 1953.

For the Attorney General.

[SEAL] PAUL V MYRON,
Deputy Director
Office of Alien Property.

[F. R. Doc. 53-3106; Filed, Apr. 9, 1953; 8:54 a. m.]

[Vesting Order 19224]

MRS. KAROLINE SUCK ET AL.

In re: Real property owned by the personal representatives, heirs, next of kin, legatees and distributees of Mrs. Karoline Suck, deceased, of Mrs. Lina Wiedemann, deceased, and of Mrs. Lisl Puchstein, deceased. F–28–32077.

Under the authority of the Trading With the Enemy Act, as amended (50 U. S. C. App. and Sup. 1–40) Public Law 181, 82d Congress, 65 Stat. 451, Executive Order 9193, as amended by Executive Order 9567 (3 CFR 1943 Cum. Supp., 3 CFR 1945 Supp.) Executive Order 9788 (3 CFR 1946 Supp.) and Executive Order 9989 (3 CFR 1948 Supp.) and pursuant to law, after investigation, it is hereby found:

1. That the personal representatives, heirs, next of kin, legatees and distributees of Mrs. Karoline Suck, deceased, of Mrs. Lina Wiedemann, deceased, and of Mrs. Lisl Puchstein, deceased, who there is reasonable cause to believe on or since December 11, 1941, and prior to January 1, 1947, were residents of Germany, are, and prior to January 1, 1947, were, nationals of a designated enemy country (Germany)

2. That the property described as follows: Real property situated in the County of Lavaca, State of Texas and particularly described, as Parcel 1, in Exhibit A, attached hereto and by reference made a part hereof, together with all hereditaments, fixtures, improvements and appurtenances thereto, and any and all claims for rents, refunds, benefits or other payments arising from the ownership of such property,

is property which is and prior to January 1, 1947, was within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by the personal representatives, heirs, next of kin, legatees and distributees of Mrs. Karoline Suck, deceased, the aforesaid nationals of a designated enemy country (Germany).

3. That the property described as follows: Real property situated in the County of Lavaca, State of Texas and particularly described, as Parcel 2, in Exhibit A, attached hereto and by reference made a part hereof, together with all hereditaments, fixtures, improvements and appurtenances thereto, and any and all claims for rents, refunds, benefits or other payments arising from the ownership of such property,

is property which is and prior to January 1, 1947, was within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the personal representatives, heirs, next of kin, legatees and distributees of Mrs. Lina Wiedemann, deceased, the aforesaid nationals of a designated enemy country (Germany)

4. That the property described as follows: Real property situated in the County of Lavaca, State of Texas and particularly described, as Parcel 3, in Exhibit A, attached hereto and by reference made a part hereof, together with all hereditaments, fixtures, improvements and appurtenances thereto, and any and all claims for rents, refunds, benefits or other payments arising from the ownership of such property,

is property which is and prior to January 1, 1947, was within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the personal representatives, heirs, next of kin, legatees and distributees of Mrs. Lisl Puchstein, deceased, the aforesaid nationals of a designated enemy country (Germany)

and it is hereby determined:

5. That the national interest of the United States requires that the persons referred to in subparagraph 1 hereof, be treated as persons who are and prior to January 1, 1947, were nationals of a designated enemy country (Germany)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described in subparagraphs 2, 3 and 4 hereof, subject to recorded liens, encumbrances and other rights of record held by or for persons who are not nationals of designated enemy countries to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on April 6, 1953.

For the Attorney General.

[SEAL] PAUL V MYRON,
Deputy Director,
Office of Alien Property.

EXHIBIT A

All those certain tracts or parcels of land, situate in the County of Lavaca, State of Texas, being a part of the subdivision of Section 6, Lavaca County, Certificate Number 297, T. & N. O. Railway Company, Lavaca County, Texas, Abstract No. 708, as was platted and filed by Lewis H. Scurlock, Trustee, and recorded in the records of Deeds and Conveyances of Lavaca County, Texas, described as follows:

Parcel 1. Tracts numbered forty-three (43) and forty-four (44), containing ten (10) acres of land, less a strip twenty (20) feet in width and running the full length of said tract on one side thereof as a provision for a public highway.

Parcel 2. Tracts numbered fifty (50) and fifty-one (51), containing ten (10) acres of land, less a strip twenty (20) feet in width and running the full length of said tract on one side thereof as a provision for a public highway.

Parcel 3. Tracts numbered fifty-seven (57) and fifty-eight (58), containing ten (10) acres of land, less a strip twenty (20) feet in width and running the full length of said tract on one side thereof as a provision for a public highway.

[F. R. Doc. 53-3107; Filed, Apr. 9, 1953; 8:54 a. m.]

[Vesting Order 19225]

EVAN AND KATHERINE TINTA

In re: Interests in furniture, equipment and other personal property owned by Evan Tinta and Katherine Tinta. F–28–12002.

Under the authority of the Trading With the Enemy Act, as amended, (50 U. S. C. App. and Sup. 1–40) Public Law 181, 82d Congress, 65 Stat. 451, Executive Order 9193, as amended by Executive Order 9567 (3 CFR 1943 Cum. Supp., 3 CFR, 1945 Supp.); Executive Order 9788

(3 CFR 1946 Supp.) and Executive Order 9989 (3 CFR 1948 Supp.) and pursuant to law, after investigation, it is hereby found:

1. That Evan Tinta and Katherine Tinta, who there is reasonable cause to believe on or since December 11, 1941, and prior to January 1, 1947, were residents of Germany, are and prior to January 1, 1947, were, nationals of a designated enemy country (Germany)

2. That the property described as follows: An undivided two-fifths (2/5ths) interest in the furniture, equipment and other personal property situated in and connected with the operation of the Portola Hotel, 317 Lorton Avenue, Burlingame, California, each of the persons referred to in subparagraph 1 hereof being the owner of an undivided one-fifth (1/5th) interest in said property, and Joseph A. Garry, whose address is 605 Market Street, San Francisco, California, and who is operating said hotel, being in possession of said property and using the same in connection with such operation, said property being more fully described in the inventory thereof, attached hereto, marked "Exhibit A" and made a part hereof,

is property which is and prior to January 1, 1947, was within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by Evan Tinta and Katherine Tinta, the aforesaid nationals of a designated enemy country (Germany)

and it is hereby determined:

3. That the national interest of the United States requires that the persons identified in subparagraph 1 hereof, be treated as persons who are and prior to January 1, 1947, were nationals of a designated enemy country (Germany)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on April 6, 1953.

For the Attorney General.

[SEAL] PAUL V. MYRON,
Deputy Director
Office of Alien Property.

EXHIBIT A—INVENTORY OF FURNITURE, EQUIPMENT AND OTHER PERSONAL PROPERTY SITUATED IN THE PORTOLA HOTEL, 317 LORTON AVENUE, BURLINGAME, CALIFORNIA

BEDROOMS

21 Ash trays.
12 Beds, double, steel; various types, with springs.
11 Beds, single, steel; various types, with springs.
7 Chairs, with arms.
3 Chairs, rocking.
21 Chairs, straight-back, w/o arms.
1 Cot and mattress.
2 Dressing tables, with matching benches.
23 Dressers (4 or 5 drawers), with mirror.
1 Dresser, without mirror.
6 Pictures (prints in old frames; various small sizes).
32 Pillows.
24 Mattresses.
22 Tables, bedside.
1 Table, bedside, marble top.
1 Table, pine, 30 inches.
21 Waste paper baskets.
1 Wardrobe closet, antique, oak.

KITCHEN AND BOILER ROOM

1 Dining room set; round table and 3 matching chairs (painted).
2 Tables, pine, 30 inches, painted.
1 Kitchen cabinet, Hoover type, home-made.
1 Refrigerator, "Servel" motor unit removed (used with ice), approximately 4 cubic feet capacity.
1 Bakery cake box (refrigerator), 27½ inches wide, 39 inches high, 10 feet long, equipped with 3 refrigerator type doors and locks.
1 Range, gas, 4-burner and ovens, white enamel (Ward's "Cheer" stove No. 19319).
2 Garbage cans, galvanized.

LOBBY

1 Arm chair (occasional type).
1 Arm chair (Monterey type), upholstered.
1 Davenport.
1 Desk (writing) and matching chair, wicker, painted.
1 Chair, oak frame with arms.
1 Floor lamp with shade (1-bulb type).
3 Floor ash tray stands (metal).
1 Lobby table (dark stain).
2 Potted plants.
1 Wall mirror, dark stained frame, approximately 20 by 48 inches.
1 Waste basket.
1 Pencil sharpener.
1 Set: Lobby curtains.
1 Rug: 9 by 12 feet.
2 Small throw rugs.
1 Ladder: 9 steps (top floor).
1 Step ladder, 4-foot (closet, ground floor).
1 Flag: American, approximately 3½ by 5 feet with 12-foot standard.
1 Sideboard: 7 feet high by 12 feet long with glass doors, plate glass mirror, 6 special storage compartments. The entire piece is of special, unusual design, painted, pine, removable.

BLANKETS, LINEN, CLEANING EQUIPMENT, ETC.

Approximately 28 bedspreads.
Approximately 50 blankets (cotton).
Approximately 21 pairs curtains.
Approximately 80 pillow cases.
Approximately 80 sheets.
Approximately 35 towels, bath.
Approximately 35 towels, hand.
3 Bath mats.
1 Broom.
1 Carpet sweeper.
1 Dust mop.
1 Floor mop.
1 Garden hose, rubber, approximately 25 feet.
1 Vacuum cleaner with set of attachments "Kirby."

[F. R. Doc. 53-3103; Filed, Apr. 9, 1953; 8:54 a. m.]

[Vesting Order 19226]

BANKVEREIN FUER NORDWESTDEUTSCHLAND A. G. ET AL.

In re: Debts owing to Bankverein fuer Nordwestdeutschland A. G., and others.

Under the authority of the Trading With the Enemy Act, as amended (50 U. S. C. App. and Sup. 1-40), Public Law 181, 82d Congress, 65 Stat. 451, Executive Order 9193, as amended by Executive Order 9567 (3 CFR 1943 Cum. Supp., 3 CFR 1945 Supp.) Executive Order 9788 (3 CFR 1946 Supp.) and Executive Order 9989 (3 CFR 1948 Supp.) and pursuant to law, after investigation, it is hereby found:

1. That Bankverein fuer Nordwestdeutschland A. G. the last known address of which is Bremen, Germany, is a corporation, partnership, association or other business organization, which on or since December 11, 1941, and prior to January 1, 1947, was organized under the laws of, and had its principal place of business in Germany, and is, and prior to January 1, 1947, was a national of a designated enemy country (Germany)

2. That the persons whose names and addresses are listed below:

Name and Address

Edward Focke, Bremen, Germany.
August Fritze, Bremen, Germany.
Geschwister Fritze, Bremen and Berlin, Germany.
Otto Graf Grote, Varchentin, Mecklenburg Schwerin, Germany.
Mrs. Louise Marie Smidt, Bremen, Germany.

on or since December 11, 1941, and prior to January 1, 1947, were residents of Germany and are, and prior to January 1, 1947 were nationals of a designated enemy country (Germany)

3. That the personal representatives, heirs, next of kin, legatees, and distributees of Grafin Marie Grote, deceased, who there is reasonable cause to believe on or since December 11, 1941, and prior to January 1, 1947, were residents of Germany, are, and prior to January 1, 1947, were nationals of a designated enemy country (Germany)

4. That the property described as follows: Those certain debts or other obligations of the Guaranty Trust Company of New York, 140 Broadway, New York 15, New York, arising out of funds recovered under awards of the Mixed Claims Commission and representing claims of the persons referred to in subparagraphs 1, 2, and 3 hereof against the Guaranty Trust Company together with any and all accruals to the aforesaid debts or other obligations and any and all rights to demand, enforce, and collect the same,

is property which is and prior to January 1, 1947, was within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by the persons identified in subparagraphs 1 and 2 and the persons referred to in subparagraph 3, the aforesaid nationals of a designated enemy country (Germany),

and it is hereby determined:

5. That the national interest of the United States requires that the persons identified in subparagraphs 1 and 2 and the persons referred to in subparagraph 3 hereof, be treated as persons who are and prior to January 1, 1947, were nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been

made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on April 6, 1953.

For the Attorney General.

[SEAL] PAUL V MYRON,
Deputy Director
Office of Alien Property.

[F. R. Doc. 53-3109; Filed, Apr. 9, 1953; 8:54 a. m.]

[Vesting Order 19227]

ERICH BLEYL AND ROBERT KATHMANN & CO.

In re: Debt owing to Erich Bleyl and Robert Kathmann & Co. F-28-25137-C-1.

Under the authority of the Trading With the Enemy Act, as amended (50 U. S. C. App. and Sup. 1-40) Public Law 181, 82d Congress, 65 Stat. 451, Executive Order 9193, as amended by Executive Order 9567 (3 CFR 1943 Cum. Supp., 3 CFR 1945 Supp.) Executive Order 9788 (3 CFR 1946 Supp.) and Executive Order 9989 (3 CFR 1948 Supp.) and pursuant to law, after investigation, it is hereby found:

1. That Erich Bleyl, whose last known address is Leipzig, Germany on or since December 11, 1941, and prior to January 1, 1947, was a resident of Germany and is, and prior to January 1, 1947 was, a national of a designated enemy country (Germany),

2. That Robert Kathmann & Co., whose last known address is Leipzig, Germany, is a corporation, partnership, association, or other business organization which on or since December 11, 1941, and prior to January 1, 1947, was organized under the laws of and had its principal place of business in Germany and is, and prior to January 1, 1947 was, a national of a designated enemy country (Germany)

3. That the property described as follows: That certain debt or other obligation of Fritz Hailer, 2007 National Bank Building, Detroit, Michigan, arising out of the receipt of funds from Henry J. Jaworowicz under the terms of settlement in the suit entitled, Erich Bleyl, d/b/a Robert Kathmann & Co., VS. Henry J. Jaworowicz, together with any accruals to the aforesaid debt or other obligation and any and all rights to demand, enforce and collect the same,

is property which is and prior to January 1, 1947, was within the United States owned or controlled by payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, Erich Bleyl and Robert Kathmann & Co., the aforesaid nationals of a designated enemy country (Germany),

and it is hereby determined:

4. That the national interest of the United States requires that the persons referred to in subparagraphs 1 and 2 hereof, be treated as persons who are and prior to January 1, 1947, were nationals of a designated enemy country (Germany)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on April 6, 1953.

For the Attorney General.

[SEAL] PAUL V MYRON,
Deputy Director
Office of Alien Property.

[F. R. Doc. 53-3110; Filed, Apr. 9, 1953; 8:54 a. m.]

[Vesting Order 19228]

DORA DEHARDE

In re: Stock owned by and debt owing to Dora DeHarde. F-28-32078.

Under the authority of the Trading With the Enemy Act, as amended (50 U. S. C. App. and Sup. 1-40) Public Law 181, 82d Congress, 65 Stat. 451, Executive Order 9193, as amended by Executive Order 9567 (3 CFR 1943 Cum. Supp., 3 CFR 1945 Supp.) Executive Order 9788 (3 CFR 1946 Supp.) and Executive Order 9989 (3 CFR 1948 Supp.) and pursuant to law, after investigation, it is hereby found:

1. That Dora DeHarde, whose last known address is 10 Meinken Street, Bremen, Germany on or since December 11, 1941, and prior to January 1, 1947, was a resident of Germany and is, and prior to January 1, 1947, was, a national of a designated enemy country (Germany)

2. That the property described as follows:

a. Twenty-five (25) shares of $15.00 par value class A 10 percent non-cumulative participating common stock of Delaware Rayon Company New Castle, Delaware; a corporation organized under the laws of the State of Delaware, evidenced by a certificate numbered A375, registered in the name of Dora DeHarde, together with all declared and unpaid dividends thereon,

b. Those certain debts or other obligations of the Delaware Rayon Company, New Castle, Delaware, evidenced by twenty-three (23) outstanding dividend checks totaling $343.12, representing dividends on the stock described in subparagraph 2 (a) above, said checks dated from January 1942 to May 1950, together with any and all accruals to the aforesaid debts or other obligations, and any and all rights to demand, enforce and collect the same, and any and all rights in, to and under said checks,

is property which is and prior to January 1, 1947, was within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, Dora DeHarde, the aforesaid national of a designated enemy country (Germany),

and it is hereby determined:

3. That the national interest of the United States requires that the person named in subparagraph 1 hereof, be treated as a person who is and prior to January 1, 1947, was a national of a designated enemy country (Germany)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on April 6, 1953.

For the Attorney General.

[SEAL] PAUL V MYRON,
Deputy Director,
Office of Alien Property.

[F. R. Doc. 53-3111; Filed, Apr. 9, 1953; 8:55 a. m.]

[Vesting Order 19229]

MADAME M. H. DUVAL

In re: Bank account owned by the personal representatives, heirs, next of kin, legatees and distributees of Madame M. H. Duval, deceased. F-28-32079.

Under the authority of the Trading With the Enemy Act, as amended (50 U. S. C. App. and Sup. 1-40), Public Law 181, 82d Congress, 65 Stat. 451, Executive Order 9193, as amended by Executive Order 9567 (3 CFR 1943 Cum. Supp., 3 CFR 1945 Supp.), Executive Order 9788 (3 CFR 1946 Supp.) and Executive Order 9989 (3 CFR 1948 Supp.), and pursuant to law, after investigation, it is hereby found:

1. That the personal representatives, heirs, next of kin, legatees and distributees of Madame M. H. Duval, deceased, who there is reasonable cause to believe on or since December 11, 1941, and prior to January 1, 1947, were residents of Germany, are, and prior to January 1, 1947, were, nationals of a designated enemy country (Germany)

2. That the property described as follows: That certain debt or other obligation of The Chase National Bank of the City of New York, Pine Street, Corner of Nassau, New York 15, New York,

arising out of an account held by the aforesaid bank in the name of Madame M. H. Duval, and any and all rights to demand, enforce and collect the same,

is property which is and prior to January 1, 1947, was within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the personal representatives, heirs, next of kin, legatees and distributees of Madame M. H. Duval, deceased, the aforesaid nationals of a designated enemy country (Germany);

and it is hereby determined:

3. That the national interest of the United States requires that the persons referred to in subparagraph 1 hereof, be treated as persons who are and prior to January 1, 1947, were nationals of a designated enemy country (Germany)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on April 6, 1953.

For the Attorney General.

[SEAL] PAUL V. MYRON,
Deputy Director
Office of Alien Property.

[F. R. Doc. 53-3112; Filed, Apr. 9, 1953; 8:55 a. m.]

[Vesting Order 19230]

EMMI GANTZHORN

In re: Debts owing to the personal representatives, heirs, next of kin, legatees, and distributees of Emmi Gantzhorn, deceased.

Under the authority of the Trading With the Enemy Act, as amended (50 U. S. C. App. and Sup. 1-40) Public Law 181, 82d Congress, 65 Stat. 451, Executive Order 9193, as amended by Executive Order 9567 (3 CFR 1943 Cum. Supp., 3 CFR 1945 Supp.), Executive Order 9788 (3 CFR 1946 Supp.) and Executive Order 9989 (3 CFR 1948 Supp.) and pursuant to law, after investigation, it is hereby found:

1. That the personal representatives, heirs, next of kin, legatees and distributees of Emmi Gantzhorn, deceased, who there is reasonable cause to believe on or since January 11, 1941, and prior to January 1, 1947, were residents of Germany, are, and prior to January 1, 1947, were, nationals of a designated enemy country (Germany)

2. That the property described as follows: That certain debt or other obligation in the amount of $314.57 being a portion of the debt or other obligation evidenced by a check drawn on the Staten Island National Bank and Trust Company of New Dorp, Staten Island, New York, in the amount of $341.10, said check numbered 599 presently in the custody of Theodore D. Hoffmann, 161-19 Jamaica Avenue 3, New York, together with any and all accruals to the aforesaid debt or other obligation and any and all rights to demand, enforce and collect the same and any and all rights in, to and under said check,

is property which is and prior to January 1, 1947, was within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by the the personal representatives, heirs, next of kin, legatees, and distributees of Emmi Gantzhorn, deceased, the aforesaid nationals of a designated enemy country (Germany)

and it is hereby determined:

3. That the national interest of the United States requires that the persons referred to in subparagraph 1 hereof, be treated as persons who are and prior to January 1, 1947, were nationals of a designated enemy country (Germany)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on April 6, 1953.

For the Attorney General.

[SEAL] PAUL V. MYRON,
Deputy Director,
Office of Alien Property.

[F.. R. Doc. 53-3113; Filed, Apr. 9, 1953; 8:55 a. m.]

[Vesting Order 19231]

GERMANY

In re: Cash owned by Germany. F-28-13594.

Under the authority of the Trading With the Enemy Act, as amended (50 U. S. C. App. and Sup. 1-40), Public Law 181, 82d Congress, 65 Stat. 451; Executive Order 9193, as amended by Executive Order 9567 (3 CFR 1943 Cum. Supp., 3 CFR 1945 Supp.), Executive Order 9788 (3 CFR 1946 Supp.) and Executive Order 9989 (3 CFR 1948 Supp.) and pursuant to law, after investigation, it is hereby found:

1. That the property described as follows:

Currency and coin as follows:
515 Belgian francs.
1 German coin dated November 10, 1872.
11 Kroner Austrian Gold pieces.

presently in the custody of the Attorney General of the United States,

is property which is and prior to January 1, 1947, was within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The term "designated enemy country" as used herein shall have the meaning prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on April 6, 1953.

For the Attorney General.

[SEAL] PAUL V. MYRON,
Deputy Director
Office of Alien Property.

[F. R. Doc. 53-3114; Filed, Apr. 9, 1953; 8:55 a. m.]

[Vesting Order 19232]

MRS. CLARA GUMPRECHT ET AL.

In re: Debts owing to Mrs. Clara Gumprecht and others. F-28-32071-C-1.

Under the authority of the Trading With the Enemy Act, as amended (50 U. S. C. App. and Sup. 1-40), Public Law 181, 82d Congress, 65 Stat. 451, Executive Order 9193, as amended by Executive Order 9567 (3 CFR 1943 Cum. Supp., 3 CFR 1945 Supp.), Executive Order 9788 (3 CFR 1946 Supp.) and Executive Order 9989 (3 CFR 1948 Supp.) and pursuant to law, after investigation, it is hereby found:

1. That the persons whose names and addresses are listed below:

Name and Address

Mrs. Clara Gumprecht, Berlin, Germany.
Hans von Hobe, Berlin, Germany.
Olga Becker, Dresden, Germany.
Paul Graf zu Castell-Ruedenhausen, Baden-Baden, Germany.

on or since December 11, 1941, and prior to January 1, 1947, were residents of Germany and are, and prior to January 1, 1947, were nationals of a designated enemy country (Germany)

2. That Dr. Leopold G. Struhe and the personal representatives, heirs, next of kin, legatees, and distributees of Elise Kleist, who there is reasonable cause to believe on or since December 11, 1941, and prior to January 1, 1947, were residents of Germany, are, and prior to January 1, 1947, were nationals of a designated enemy country (Germany),

3. That the property described as follows: Those certain debts or other obligations of the Guaranty Trust Company of New York, 140 Broadway, New York 15, New York, arising out of funds recovered under awards of the Mixed Claims Commission and representing claims of the persons named in subparagraph 1 and referred to in subparagraph 2 hereof against the Guaranty Trust Company together with any and all accruals to the aforesaid debts or other obligations and any and all rights to demand, enforce and collect the same,

is property which is and prior to January 1, 1947, was within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by the persons named in subparagraph 1 and referred to in subparagraph 2 hereof, the aforesaid nationals of a designated enemy country (Germany)

and it is hereby determined:

4. That the national interest of the United States requires that the persons named in subparagraph 1 and referred to in subparagraph 2 hereof, be treated as persons who are and prior to January 1, 1947, were nationals of a designated enemy country (Germany)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on April 6, 1953.

For the Attorney General.

[SEAL] PAUL V MYRON,
Deputy Director
Office of Alien Property.

[F. R. Doc. 53-3115; Filed, Apr. 9, 1953; 8:55 a. m.]

[Vesting Order 19233]

HERMAN AND LUDWIG KRAUL

In re: Interest in bank account owned by Herman Kraul and Ludwig Kraul. F-28-32067-E-1.

Under the authority of the Trading With the Enemy Act, as amended (50 U. S. C. App. and Sup. 1-40), Public Law 181, 82d Congress, 65 Stat. 451, Executive Order 9193, as amended by Executive Order 9567 (3 CFR 1943 Cum. Supp., 3 CFR 1945 Supp.) Executive Order 9788 (3 CFR 1946 Supp.) and Executive Order 9989 (3 CFR 1948 Supp.), and pursuant to law, after investigation, it is hereby found:

1. That Herman Kraul, whose last known address is 102 Pferdebach, Witten/Ruhr, Germany and Ludwig Kraul, whose last known address is 243 Alfredstrasse, Essen/Ruhr, Germany, on or since December 11, 1941, and prior to January 1, 1947 were residents of Germany and are, and prior to January 1, 1947 were, nationals of a designated enemy country (Germany)

2. That the property described as follows: A two-thirds interest in that certain debt or other obligation of the Central Savings Bank, 2100 Broadway, New York, New York, arising out of a Savings Account, account numbered 1,061,114, entitled William Kraul, maintained with the branch office of the aforesaid bank located at 4th Avenue at 14th Street, New York, New York, together with any and all rights to demand, enforce and collect the aforesaid two-thirds interest,

is property which is and prior to January 1, 1947, was within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, Herman Kraul and Ludwig Kraul, the aforesaid nationals of a designated enemy country (Germany)

and it is hereby determined.

3. That the national interest of the United States requires that such persons be treated as persons who are and prior to January 1, 1947, were nationals of a designated enemy country (Germany)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on April 6, 1953.

For the Attorney General.

[SEAL] PAUL V. MYRON,
Deputy Director
Office of Alien Property.

[F R. Doc. 53-3116; Filed, Apr. 9, 1953; 8:55 a. m.]

[Vesting Order 19234]

MENGA KRONKE

In re: Bank account owned by the personal representatives, heirs, next of kin, legatees and distributees of Menga Kronke, deceased. D-28-10430-E-1.

Under the authority of the Trading With the Enemy Act, as amended (50 U. S. C. App. and Sup. 1-40) Public Law 181, 82d Congress, 65 Stat. 451, Executive Order 9193, as amended by Executive Order 9567 (3 CFR 1943 Cum. Supp., 3 CFR 1945 Supp.), Executive Order 9788 (3 CFR 1946 Supp.) and Executive Order 9989 (3 CFR 1948 Supp.), and pursuant to law, after investigation, it is hereby found:

1. That the personal representatives, heirs, next of kin, legatees and distributees of Menga Kronke, deceased, who there is reasonable cause to believe on or since December 11, 1941, and prior to January 1, 1947, were residents of Germany are, and prior to January 1, 1947 were, nationals of a designated enemy country (Germany)

2. That the property described as follows: That certain debt or other obligation of the Guaranty Trust Company, 140 Broadway New York 15, New York, arising out of an account, entitled, Estate of Menga Kronke, deceased, Special Account, c/o Arthur J. Albert, Executor, maintained with the aforesaid company, together with any and all rights to demand, enforce and collect the same,

is property which is and prior to January 1, 1947, was within the United States owned or controlled by payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the personal representatives, heirs, next of kin, legatees and distributees of Menga Kronke, deceased, the aforesaid nationals of a designated enemy country (Germany)

and it is hereby determined:

3. That the national interest of the United States requires that the persons referred to in subparagraph 1 hereof, be treated as persons who are and prior to January 1, 1947, were nationals of a designated enemy country (Germany)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on April 6, 1953.

For the Attorney General.

[SEAL] PAUL V MYRON,
Deputy Director,
Office of Alien Property.

[F. R. Doc. 53-3117; Filed, Apr. 9, 1953; 8:56 a. m.]

[Vesting Order 19235]

OTTO R. VAN LAUN

In re: Bank account owned by Otto R. Van Laun. F-28-31584.

Under the authority of the Trading With the Enemy Act, as amended (50 U. S. C. App. and Sup. 1-40), Public Law 181, 82d Congress, 65 Stat. 451, Executive Order 9193, as amended by Executive Order 9567 (3 CFR 1943 Cum. Supp., 3 CFR 1945 Supp.), Executive Order 9788 (3 CFR 1946 Supp.) and Executive Order 9989 (3 CFR 1948 Supp.), and pursuant

to law, after investigation, it is hereby found:

1. That Otto R. Van Laun, whose last known address is Hamburg, Germany, on or since December 11, 1941, and prior to January 1, 1947, was a resident of Germany and is, and prior to January 1, 1947 was, a national of a designated enemy country (Germany)

2. That the property described as follows: That certain debt or other obligation of the National Boulevard Bank of Chicago, Wrigley Building, 400 North Michigan Avenue, Chicago 11, Illinois, arising out of a Savings Account, account number 3902, entitled Otto R. Van Laun, maintained with the aforesaid bank, and any and all rights to demand, enforce and collect the same,

is property which is and prior to January 1, 1947, was within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, Otto R. Van Laun, the aforesaid national of a designated enemy country (Germany),

and it is hereby determined:

3. That the national interest of the United States requires that the person identified in subparagraph 1 hereof, be treated as a person who is and prior to January 1, 1947, was a national of a designated enemy country (Germany)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on April 6, 1953.

For the Attorney General.

[SEAL] PAUL V. MYRON,
Deputy Director
Office of Alien Property.

[F. R. Doc. 53-3118; Filed, Apr. 9, 1953; 8:56 a. m.]

[Vesting Order 19236]

CURT LUBBERS

In re: Bank accounts owned by Curt Lubbers. D-28-5522; E-1.

Under the authority of the Trading With the Enemy Act, as amended (50 U. S. C. App. and Sup. 1-40) Public Law 181, 82d Congress, 65 Stat. 451, Executive Order 9193, as amended by Executive Order 9567 (3 CFR 1943 Cum. Supp., 3 CFR 1945 Supp.) Executive Order 9788 (3 CFR 1946 Supp.) and Executive Order 9989 (3 CFR 1948 Supp.) and pursuant to law, after investigation, it is hereby found:

1. That Curt Lubbers, whose last known address is Germany, on or since December 11, 1941, and prior to January 1, 1947, was a resident of Germany and is, and prior to January 1, 1947, was, a national of a designated enemy country (Germany)

2. That the property described as follows:

a. That certain debt or other obligation of the Eagle Savings and Loan Association, 914 Main Street, Cincinnati, Ohio, arising out of a Joint Savings Account No. 37098, entitled Curt or Regina C. Lubbers, maintained at the aforesaid Assn., and any and all rights to demand, enforce and collect the same, and

b. That certain debt or other obligation of the Price Hill Eagle Loan and Building Company No. 1, 3650 Warsaw Avenue, Cincinnati 5, Ohio, arising out of a Savings Account No. 298, entitled Curt Lubbers or Anna Rulander, maintained at the aforesaid Company, and any and all rights to demand, enforce and collect the same,

is property which is and prior to January 1, 1947, was within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, Curt Lubbers, the aforesaid national of a designated enemy country (Germany),

and it is hereby determined:

3. That the national interest of the United States requires that the person referred to in subparagraph 1 hereof, be treated as a person who is and prior to January 1, 1947, was a national of a designated enemy country (Germany)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on April 6, 1953.

For the Attorney General.

[SEAL] PAUL V. MYRON,
Deputy Director,
Office of Alien Property.

[F. R. Doc. 53-3119; Filed, Apr. 9, 1953; 8:56 a. m.]

[Vesting Order 19237]

CURT LUBBERS

In re: Bank account owned by Curt Lubbers, also known as Conrad Lubbers. D-28-5522; E-1.

Under the authority of the Trading With the Enemy Act, as amended (50 U. S. C. App. and Sup. 1-40), Public Law 181, 82d Congress, 65 Stat. 451, Executive Order 9193, as amended by Executive Order 9567 (3 CFR 1943 Cum. Supp., 3 CFR 1945 Supp.) Executive Order 9788 (3 CFR 1946 Supp.) and Executive Order 9989 (3 CFR 1948 Supp.) and pursuant to law, after investigation, it is hereby found:

1. That Curt Lubbers, also known as Conrad Lubbers, whose last known address is Germany, on or since December 11, 1941, and prior to January 1, 1947, was a resident of Germany and is, and prior to January 1, 1947, was a national of a designated enemy country (Germany)

2. That the property described as follows: That certain debt or other obligation of the Atlas National Bank, 518 Walnut Street, Cincinnati, Ohio, arising out of an account entitled Conrad or Regina Lubbers, maintained at the aforesaid Bank, and any and all rights to demand, enforce and collect the same,

is property which is and prior to January 1, 1947, was within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, Curt Lubbers, also known as Conrad Lubbers, the aforesaid national of a designated enemy country (Germany)

and it is hereby determined:

3. That the national interest of the United States requires that the person referred to in subparagraph 1 hereof, be treated as a person who is and prior to January 1, 1947, was a national of a designated enemy country (Germany)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on April 6, 1953.

For the Attorney General.

[SEAL] PAUL V. MYRON,
Deputy Director
Office of Alien Property.

[F. R. Doc. 53-3120; Filed, Apr. 9, 1953; 8:56 a. m.]

[Vesting Order 19238]

PAULA MAUCHER AND AGNES FESER

In re: Securities owned by Paula Maucher and Agnes Feser.

Under the authority of the Trading With the Enemy Act, as amended (50 U. S. C. App. and Sup. 1-40) Public Law 181, 82d Congress, 65 Stat. 451; Executive Order 9193, as amended by Executive Order 9567 (3 CFR 1943 Cum. Supp., 3 CFR 1945 Supp.) Executive Order 9788 (3 CFR 1946 Supp.) and Executive Order 9989 (3 CFR 1948 Supp.), and

pursuant to law, after investigation, it is hereby found:

1. That Paula Maucher and Agnes Feser, each of whose last known address is 14b Eberhardzell, Post Biberach, Wurtemberg, Germany, on or since December 11, 1941, and prior to January 1, 1947, were residents of Germany and are and prior to January 1, 1947, were nationals of a designated enemy country (Germany)

2. That the property described as follows:

a. All rights and interest in, and under a Trust Receipt, issued by Seaboard Trust Company in dissolution, said receipt numbered TC 4554 in the face amount of $9.23 and payable to Paula Maucher, and

b. All rights and interest in, and under a Voting Trust Scrip Certificate for eighteen hundred forty-five—nineteen hundred tenths (1845/1910ths) of a share of capital stock of Seaboard Trust Company, in dissolution, 95 River Street, Hoboken, New Jersey, said Scrip Certificate issued in bearer form and numbered S–4558,

is property which is and prior to January 1, 1947, was within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by Paula Maucher, the aforesaid national of a designated enemy country (Germany)

3. That the property described as follows:

a. All rights and interest in and under a Trust Receipt issued by the Seaboard Trust Company, in dissolution, said receipt numbered TC 2233, in the face amount of $9.16 and payable to Miss Agnes Feser and

b. All rights and interests in and under a Voting Trust Scrip Certificate for eighteen hundred thirty-three-nineteen hundred tenths (1833/1910ths) of a share of capital stock of Seaboard Trust Company, in dissolution, 95 River Street, Hoboken, New Jersey, said certificate numbered S2227 and issued in bearer form,

is property which is and prior to January 1, 1947, was within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by Agnes Feser, the aforesaid national of a designated enemy country (Germany),

and it is hereby determined:

4. That the national interest of the United States requires that the persons identified in subparagraph 1 hereof be treated as persons who are and prior to January 1, 1947, were nationals of a designated enemy country (Germany)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on April 6, 1953.

For the Attorney General.

[SEAL] PAUL V MYRON,
Deputy Director
Office of Alien Property.

[F. R. Doc. 53–3121; Filed, Apr. 9, 1953; 8:56 a. m.]

[Vesting Order 19239]

RUHRGAS AKTIENGESELLSCHAFT

In re: Securities owned by Ruhrgas Aktiengesellschaft, also known as Ruhr Gas Corporation. F–28–8885–A–1.

Under the authority of the Trading With the Enemy Act, as amended (50 U. S. C. App. and Sup. 1–40) Public Law 181, 82d Congress, 65 Stat. 451, Executive Order 9193, as amended by Executive Order 9567 (3 CFR 1943 Cum. Supp., 3 CFR 1945 Supp.) Executive Order 9788 (3 CFR 1946 Supp.) and Executive Order 9989 (3 CFR 1948 Supp.) and pursuant to law, after investigation, it is hereby found:

1. That Ruhrgas Aktiengesellschaft, also known as Ruhr Gas Corporation, the last known address of which is Herwarthstrasse 60, Essen, Germany, is a corporation, partnership, association, or other business organization which on or since December 11, 1941, and prior to January 1, 1947, was organized under the laws of and had its principal place of business in Germany and is, and prior to January 1, 1947, was a national of a designated enemy country (Germany)

2. That the property described as follows: Two Ruhr Gas Corporation Series A 6½ percent bonds due October 1, 1953 of $1,000 face value, bearing the numbers M 10616 and M 10617 presently in the custody of The Chase National Bank of the City of New York, Pine Street Corner of Nassau New York 15, New York, in a regular blocked General Ruling 11A account numbered FS 87930, and any and all rights thereunder and thereto,

is property which is and prior to January 1, 1947, was within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by Ruhrgas Aktiengesellschaft, also known as Ruhr Gas Corporation, the aforesaid national of a designated enemy country (Germany),

and it is hereby determined:

3. That the national interest of the United States requires that the person referred to in subparagraph 1 hereof be treated as a person who is and prior to January 1, 1947, was a national of a designated enemy country (Germany)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on April 6, 1953.

For the Attorney General.

[SEAL] PAUL V MYRON,
Deputy Director,
Office of Alien Property.

[F. R. Doc. 53–3122; Filed, Apr. 9, 1953; 8:56 a. m.]

[Vesting Order 19240]

OTTO RUSCHE

In re: Debt owing to Otto Rusche. F–28–23725–D–1/2/3/4/5/6/7/8, F–28–2482–D–1/2/3, F–28–2482–E–1.

Under the authority of the Trading With the Enemy Act, as amended (50 U. S. C. App. and Sup. 1–40), Public Law 181, 82d Congress, 65 Stat. 451, Executive Order 9193, as amended by Executive Order 9567 (3 CFR 1943 Cum. Supp., 3 CFR 1945 Supp.), Executive Order 9788 (3 CFR 1946 Supp.) and Executive Order 9989 (3 CFR 1948 Supp.) and pursuant to law, after investigation, it is hereby found:

1. That Otto Rusche, on or since December 11, 1941, and prior to January 1, 1947, was a resident of Germany and is, and prior to January 1, 1947, was a national of a designated enemy country (Germany)

2. That the property described as follows: That certain debt or other obligation of the Chase National Bank of the city of New York, 18 Pine Street, New York, New York, arising out of a blocked General Ruling 11A Account in the name of Banco de Mexico maintained with the aforesaid bank, together with any and all rights to demand, enforce and collect the same,

is property which is and prior to January 1, 1947, was within the United States owned or controlled by payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by Otto Rusche, the aforesaid national of a designated enemy country (Germany),

and it is hereby determined:

3. That the national interest of the United States requires that the person identified in subparagraph 1 hereof, be treated as a person who is and prior to January 1, 1947, was a national of a designated enemy country (Germany)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the prop-

erty described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on April 6, 1953.

For the Attorney General.

[SEAL] PAUL V MYRON,
Deputy Director
Office of Alien Property.

[F. R. Doc. 53-3123; Filed, Apr. 9, 1953; 8:56 a. m.]

[Vesting Order 19241]

HAROLD P VON SCHMAEDEL

In re: Stock owned by and debt owing to the personal representatives, heirs, next of kin, legatees and distributees of Harold P. Von Schmaedel, deceased. F-28-32036-A-1.

Under the authority of the Trading With the Enemy Act, as amended (50 U. S. C. App. and Sup. 1-40) Public Law 181, 82d Congress, 65 Stat. 451, Executive Order 9193, as amended by Executive Order 9567 (3 CFR 1943 Cum. Supp., 3 CFR 1945 Supp.) Executive Order 9788 (3 CFR 1946 Supp.) and Executive Order 9989 (3 CFR 1948 Supp.) and pursuant to law, after investigation, it is hereby found:

1. That the personal representatives, heirs, next of kin, legatees and distributees of Harold P Von Schmaedel, deceased, who there is reasonable cause to believe on or since December 11, 1941, and prior to January 1, 1947, were residents of Germany, are, and prior to January 1, 1947, were nationals of a designated enemy country (Germany)

2. That the property described as follows:

a. Three (3) shares of common stock of South Terminal Company, 210 Albany Street, Boston, Massachusetts, evidenced by certificate numbered 1085 registered in the name of Harold P. Von Schmaedel and presently in the custody of Crapo, Clifford, Prescott & Bullard, 558 Pleasant Street, New Bedford, Massachusetts, together with any and all declared and unpaid dividends thereon, and

b. That certain debt or other obligation of Crapo, Clifford, Prescott & Bullard, 558 Pleasant Street, New Bedford, Massachusetts, arising out of income and accretions on the shares of stock described in subparagraph 2 (a) hereof, together with any and all accruals to the aforesaid debt or other obligation, and any and all rights to demand, enforce and collect the same,

is property which is and prior to January 1, 1947, was within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the personal representatives, heirs, next of kin, legatees and distributees of Harold P. Von Schmaedel, deceased, the aforesaid nationals of a designated enemy country (Germany),

and it is hereby determined:

3. That the national interest of the United States requires that the persons referred to in subparagraph 1 hereof, be treated as persons who are and prior to January 1, 1947, were nationals of a designated enemy country (Germany)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on April 6, 1953.

For the Attorney General.

[SEAL] PAUL V. MYRON,
Deputy Director
Office of Alien Property.

[F. R. Doc. 53-3124; Filed, Apr. 9, 1953; 8:57 a. m.]

[Vesting Order 19242]

NATIONAL OF THE NETHERLANDS

In re: Domestic scheduled security owned by a national of The Netherlands.

Under the authority of the Trading With the Enemy Act, as amended (50 U. S. C. App. and Sup. 1-40), Public Law 181, 82d Congress, 65 Stat. 451, Executive Order 9193, as amended by Executive Order 9567 (3 CFR 1943 Cum. Supp., 3 CFR 1945 Supp.) Executive Order 9783 (3 CFR 1946 Supp.) and Executive Order 9989 (3 CFR 1948 Supp.) and pursuant to law, after investigation, it is hereby found:

1. That the property described as follows: That certain debt or other obligation, matured or unmatured, evidenced by one (1) $1,000 Missouri Pacific Railroad Company 4 Percent General Mortgage Bond due March 1, 1975, No. 33112, and any and all rights to demand, enforce and collect the aforesaid debt or other obligation, together with all rights in, to and under the aforesaid bond,

is property within the United States;

2. That the property described in subparagraph 1 hereof is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or is evidence of ownership or control by, a person who, if an individual, is a resident of The Netherlands and which, if a corporation, partnership, association, or other organization, is organized under the laws of The Netherlands, or on or since the effective date of Executive Order 8389, as amended, has had its principal place of business in The Netherlands, and is a national of a foreign country designated in Executive Order 8389, as amended.

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and it being necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "foreign country" as used herein shall have the meanings prescribed in Executive Order 8389, as amended.

Executed at Washington, D. C., on April 6, 1953.

For the Attorney General.

[SEAL] PAUL V MYRON,
Deputy Director
Office of Alien Property.

[F. R. Doc. 53-3125; Filed, Apr. 9, 1953; 8:57 a. m.]

[Vesting Order 12665, as Amended, Amdt.]

JOSEPHINE WEBER MILLER ET AL.

In re: Interest in real property, property insurance policy and claims owned by Josephine Weber Miller, and others. F-28-23993-B-1.

Vesting Order 12665, as amended, dated January 12, 1949, is hereby further amended as follows and not otherwise: By deleting the figure "eleven-twelfths (11/12ths)" as it appears in subparagraphs 2-d, 2-f and 2-g of said Vesting Order 12665, as amended, and substituting therefor the figure "nineteen-twentieths (19/20ths)".

All other provisions of said Vesting Order 12665, as amended, and all actions taken by or on behalf of the Attorney General of the United States in reliance thereon, pursuant thereto and under the authority thereof are hereby ratified and confirmed.

Executed at Washington, D. C., on April 6, 1953.

For the Attorney General.

[SEAL] PAUL V. MYRON,
Deputy Director
Office of Alien Property.

[F. R. Doc. 53-3127; Filed, Apr. 9, 1953; 8:57 a. m.]

[Vesting Order 17426, as Amended, Amdt.]

MARIANNE BOTTNER-BOSSHARDT

In re: Securities owned by and debts owing to Marianne Bottner-Bosshardt. F-28-31221.

Vesting Order 17426, dated February 21, 1951, as amended, is hereby further amended as follows and not otherwise:

By deleting subparagraph 2 (b) from said Vesting Order 17426, as amended and substituting therefor the following subparagraph:

(b) That certain debt or other obligation of the Swiss American Corporation, 25 Pine Street, New York 5, New York, in

the amount of $1,287.85 as of April 14, 1952 held for the "Ella Familienstiftung", being a portion of funds on deposit in a Special Identified Swiss-French account, maintained at the aforesaid corporation, together with any and all accruals to the aforesaid debt or other obligation and any and all rights to demand, enforce and collect the same,

All other provisions of said Vesting Order 17426, as amended, and all actions taken by or on behalf of the Attorney General of the United States in reliance thereon, pursuant thereto and under the authority thereof are hereby ratified and confirmed.

Executed at Washington, D. C., on April 6, 1953.

For the Attorney General.

[SEAL] PAUL V MYRON,
Deputy Director
Office of Alien Property.

[F. R. Doc. 53-3128; Filed, Apr. 9, 1953; 8:57 a. m.]

[Vesting Order 4551, Amdt.]

CHARLES L. COBB AND CHASE NATIONAL BANK OF CITY OF NEW YORK

In re: Trust indenture between Charles L. Cobb and the Chase National Bank of the City of New York dated March 21, 1928, as amended. File No. D-28-8087· E & T 11214.

Vesting Order 4551, executed January 29, 1945, is hereby amended to read as follows:

Under the authority of the Trading With the Enemy Act, as amended (50 U. S. C. App. and Sup. 1-40) Public Law 181, 82d Congress, 65 Stat. 451, Executive Order 9193, as amended by Executive Order 9567 (3 CFR 1943 Cum. Supp., 3 CFR 1945 Supp.) Executive Order 9788 (3 CFR 1946 Supp.) and Executive Order 9989 (3 CFR 1948 Supp.) and pursuant to law, after investigation, it is hereby found:

1. That Bruno Reimcke, Jr., Elisabeth Reimcke; Bruno Carl Reimcke; Robert Hans Reimcke; Johanne Maria Margarete Elisabeth Reimcke; Klaus Reimcke; Hans Egon Schwarzburger· Ilse Schwarzburger Roth; Hans Adolf Roth; Heide Roth; Hans Eberhardt Schwarzburger; Karla Maria Rott vom Baur· Fritz vom Baur· Gerd vom Baur· Roland Rott; Rose Lore Rott; Fritz Reimcke; Gertrud Ernst; Ella Schwarzburger· Charlotte Rott; the child or children, names unknown, of Bruno Reimcke, Jr., and Elisabeth Reimcke; descendants of any deceased child or children, names unknown of Bruno Reimcke, Jr., and Elisabeth Reimcke; issue, names unknown, of Gertrud Ernst; issue, names unknown, of Charlotte Rott; issue, names unknown, of Ella Schwarzburger; and the heirs at law, names unknown, of Bruno Reimcke, Jr., who there is reasonable cause to believe on or since December 11, 1941, and prior to January 1, 1947, were residents of Germany, are and prior to January 1, 1947, were nationals of a designated enemy country (Germany)

2. All property in the possession, custody or control of the Chase National Bank of the City of New York, as trustee under a certain indenture of trust dated March 21, 1928, between Charles C. Cobb and the Chase National Bank of the City of New York, as subsequently amended, subject to expenses of administration, is property which is and prior to January 1, 1947, was within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by the aforesaid nationals of a designated enemy country (Germany)

and it is hereby determined:

3. That the national interest of the United States requires that the persons identified in subparagraph 1 hereof be treated as persons who are and prior to January 1, 1947, were nationals of a designated enemy country (Germany)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on April 6, 1953.

For the Attorney General.

[SEAL] PAUL V. MYRON,
Deputy Director
Office of Alien Property.

[F. R. Doc. 53-3126; Filed, Apr. 9, 1953; 8:57 a. m.]

[Vesting Order P 857]

P C. SCHLUMBON ET AL.

In re: Stock owned by P C. Schlumbon and others.

Under the authority of the Trading With the Enemy Act, as amended (50 U. S. C. App. and Sup. 1-40) the Philippine Property Act of 1946, as amended (22 U. S. C. Sup. 1382) Public Law 181, 82d Cong. 65 Stat. 451, Executive Order 9193, as amended by Executive Order 9567 (3 CFR 1943 Cum. Supp., 3 CFR 1945 Supp.) Executive Order 9788 (3 CFR 1946 Supp.) Executive Order 9818 (3 CFR 1947 Supp.) Executive Order 10254 (16 F. R. 5829, June 19, 1951) and pursuant to law, after investigation, it is hereby found:

1. That P C. Schlumbon, who there is reasonable cause to believe, on or since December 11, 1941, and prior to January 1, 1947, was a resident of Germany, is and prior to January 1, 1947, was a national of a designated enemy country (Germany)

2. That the persons referred to in subparagraph 3 (b) and (c) hereof who, if individuals there is a reasonable cause to believe on or since December 11, 1941, and prior to January 1, 1947, were residents of Germany, and which, if corporations, partnerships, associations or other business organizations there is reasonable cause to believe on or since December 11, 1941, and prior to January 1, 1947, were organized under the laws of and had their principal places of business in Germany, are, and prior to January 1, 1947, were nationals of a designated enemy country (Germany),

3. That the property described as follows:

a. Seven thousand (7000) shares of ₱.10 par value stock of the Salacot Mining Company, in dissolution, % Ernesto Villar, 401 Samanillo Building, Escolta, Manila, The Philippines, evidenced by a certificate numbered 371 and owned by P C. Schlumbon, together with all declared and unpaid dividends, and any and all liquidating dividends thereon,

b. One thousand (1000) shares of Philippine ₱.10 par value stock of Atok Gold Mining Company, now merged with Atok-Big Wedge Mining Company, evidenced by Certificate Number 13910, registered in the name of Georj Merz, Sr. and owned by the persons referred to in subparagraph 2 hereof, together with all declared and unpaid dividends thereon, and any and all rights of exchange for shares of the Atok-Big Wedge Mining Company, and

c. Philippine currency in the amount of ₱6.12½ presently in the custody of the United States Department of Justice, Office of Alien Property, Manila, The Philippines, owned by the persons referred to in subparagraph 2 hereof,

is property which is and prior to January 1, 1947, was owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid nationals of a designated enemy country (Germany),

and it is hereby determined:

4. That the national interest of the United States requires that the person named in subparagraph 1 and the persons referred to in subparagraph 2 hereof, be treated as persons who are and prior to January 1, 1947, were nationals of a designated enemy country.

All determinations and all actions required by law, including apropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold, or otherwise dealt with in the interest of and for the benefit of the United States, in accordance with the provisions of said Trading With the Enemy Act, as amended, and said Philippine Property Act of 1946, as amended.

Executed at Washington, D. C., on April 6, 1953.

For the Attorney General.

[SEAL] PAUL V MYRON,
Deputy Director,
Office of Alien Property.

[F. R. Doc. 53-3129; Filed, Apr. 9, 1953; 8:58 a. m.]